

Chapter IV. Funding

A. Describe the agency's process for determining budgetary needs and priorities.

As the primary environmental agency in the State of Texas, the process for determining the TNRCC's budgetary needs and priorities are based upon protecting human health and the environment. This process includes strategic planning, development of the Legislative Appropriations Request (LAR), the enactment of the General Appropriations Act, and implementing an operating budget.

Strategic Planning

The process of determining the TNRCC's budgetary needs begins with the development of the Strategic Plan. The *Instructions for Preparing and Submitting Agency Strategic Plans, Fiscal Years 1999-2003*, issued by the Governor's Office of Budget and Planning and the Legislative Budget Board, require state agencies to conduct an assessment of agency activities. This assessment is an evaluation of key factors which influence the success of an agency in achieving its mission, goals, objectives and strategies.

The TNRCC Strategic Plan for 1999-2003 consists of two volumes. Volume 1 contains a description of the agency's current and future resources for achieving its mission. Volume 2 analyzes the current environmental conditions of Texas, the progress the agency has made in protecting the environment and plans for future environmental improvement. (These documents are included in the appendices to this report).

As part of this strategic planning process, the TNRCC conducted a series of 12 town hall meetings across the state between February and April of 1998 to receive comment on environmental concerns, assessment of the agency's performance, and recommendations for future action and priorities. This information was used to shape both the strategic plan and the Legislative Appropriations Request.

Legislative Appropriations Request

The LAR is the financial expression of the agency's priorities and needs as identified in the strategic plan. The State Auditor's Office report, *An Audit Report - Management Controls at the Texas Natural Resource Conservation Commission, February 1995*, recommended that the commissioners provide policy guidance to the agency for the development of the LAR by reviewing and approving the agency's priority table. As a result of this recommendation, the commissioners have set agency priorities for the development of the LAR by ranking the importance of each strategy in descending order. To ensure that funds are appropriately allocated to each strategy, the commissioners also direct that workplans be prepared by each division to project program performance and address factors which may affect the division in achieving the agency's goals and priorities.

The General Appropriations Act

The General Appropriations Act provides funding to implement the agency's strategic plan by allocating appropriated funds to each strategy. The General Appropriations Act also identifies performance measures for each strategy and objective, as well as limitations on agency expenditures such as the number of FTEs, amount of travel, and the amounts and types of capital expenditure.

Operating Budget

The development of the agency’s operating budget allows the agency to incorporate the decisions made through the appropriations process in implementing the agency’s strategic plan.

PLEASE FILL IN EACH OF THE CHARTS BELOW, USING EXACT DOLLAR AMOUNTS.

B. Show the agency s sources of revenue. Please include all local, state, and federal sources.

Texas Natural Resource Conservation Commission		
Table 9: Sources of Revenue Fiscal Year 1998 (Actual)/Fiscal Year 1999 (1st 6 Mos.)		
Source	Amount	
	FY 1998	FY 1999 (1 st 6 mos.)
General Revenue	\$18,324,466	19,006,538
Fee Assessments	351,639,572	195,633,426
Federal Funds	48,034,838	14,464,933
Interest	2,153,517	2,793,324
Interagency Contracts	1,581,991	227,000
Appropriated Receipts	1,096,430	532,969
TOTAL	\$422,830,814	\$232,658,190

C. If you receive funds from multiple federal programs, show the types of federal funding sources.

Texas Natural Resource Conservation Commission				
Table 10: Federal Funds Fiscal Year 1998 (Actual)				
Type of Fund	State/Federal Match Ratio	State Share	Federal Share	Total Funding
EPA -Water Pollution Control - State and Interstate Program	60.39/39.61	847,388.63	555,805.00	1,403,193.63
EPA -Pollution Prevention Grant Programs -Water Pollution Control - Lake Restoration	50/50	895,372.00	895,372.00	1,790,744.00

EPA -Non Point Source Implementation Grants: Sec 319 -Performance Partnership Grants: Air/Sec 105 -Non Point Source: Sec 205(j)(5)	40/60	3,162,233.33	4,743,350.00	7,905,583.33
EPA -Performance Partnership Grants: Air/Sec. 105 FIFRA RCRA Safe Drinking Water/ Sec. 1443 a & b Surface Water/Sec. 106 Ground Water/Sec 106 Non Point Source: Sec 319 Solid Waste Disposal	35.10/64.90	9,632,619.01	17,810,740.00	27,443,359.01
EPA - Water Pollution Control - Lake Restoration	30/70	16,347.86	38,145.00	54,492.86
EPA - National Estuary Program	28.73/71.27	115,364.23	286,182.00	401,546.23
EPA -National Estuary Program	27.94/72.06	168,772.95	435,282.00	604,054.95
EPA -National Estuary Program	25.79/74.21	79,316.15	228,230.00	307,546.15
EPA - National Estuary Program - Solid Waste Management Assistance - Hazardous Waste Management -Environment Education Grants State Underground Water Source Protection -Performance Partnership Grants: Solid Waste Disposal Safe Drinking Water	25/75	1,593,541.00	4,780,623.00	6,374,164.00
EPA -Environmental Management System Leadership Program	20/80	4,025.25	16,101.00	20,126.25

EPA -FIFRA Pesticides in Ground Water	15/85	7,191.88	40,754.00	47,945.88
EPA -Superfund State Site -Superfund State Core -Underground Storage Tank, Trust Fund Program (LUST)	10/90	1,522,092.89	13,698,836.00	15,220,928.89
EPA -Surveys, Studies, Investigations and Special Purpose Grants	5.10/94.90	77.44	1,441.00	1,518.44
EPA -National Estuary Program -National Pollution Discharge Elimination System -Surveys, Studies, Investigations and Special Purpose Grants -Safe Drinking Water Research and Demonstration -104(b) (3) Statewide Watershed Management -Consolidated Uniform Report for the Environment project	5/95	75,190.32	1,428,616.00	1,503,806.32
EPA -Superfund State Site -Water Quality Management Planning -Texas Environmental Enforcement Task Force -Water Pollution Control - State and Interstate Program -Juarez/El Paso Wellhead Protection Ground Water -Non Point Source Development: Sec 319(h) -Solid Waste Management Assistance	0/100	0.00	1,545,698.00	1,545,698.00
DOI -Rio Grande Basin-Inventory -Water Conservation Plan	0/100	0.010	17,150.00	17,150.00
DOD -Federal Facility Restoration Program	0/100	0.00	745,305.00	745,305.00
DOE -Nice-Solex Technology	36/64	234,667.67	132,000.00	366,667.67

DOE-SECO pass-through -Pantex Facility Remediation	0/100	0.00	502,476.54	502,476.54
FEMA-DPS pass-through -National Flood Insurance program	25/75	44,243.90	132,731.71	176,975.61
TOTAL		18,398,444.51	48,034,838.25	66,433,282.76

Texas Natural Resource Conservation Commission				
Table 11: Federal Funds Fiscal Year 1999 (As of February 28, 1999)				
Type of Fund	State/Federal Match Ratio	State Share	Federal Share	Total Funding
EPA -Pollution Prevention Grant program	50/50	57,294.00	57,294.00	114,588.00
EPA -Non Point Source Implementation Grants: Sec 319	40/60	495,697.33	743,546.00	1,239,243.33
EPA -Performance Partnership Grants: RCRA Solid Waste Disposal Surface Water/Sec 106 Ground Water/Sec 106 Non Point Source/Sec 319 Safe Drinking Water Air/Sec 105 FIFRA	33.93/66.07	1,170,107.92	2,278,486.00	3,448,593.92
EPA -Performance Partnership Grants: Surface Water/Sec 106 Ground Water/Sec 106 Non Point Source/Sec 319	35.10/64.90	2,897,084.23	5,356,717.00	8,253,801.23
EPA -National Estuary Program	28.73/71.27	51,916.77	128,789.00	180,705.77
EPA -National Estuary Program	27.94/72.06	49,876.74	128,637.00	178,513.74
EPA -National Estuary Program	25.79/74.21	17,306.17	49,798.00	67,104.17

EPA -Hazardous Waste Management -Wetlands Protection-State Development Grants -Hazardous Waste Management State Program Support -National Estuary Program	25/75	57,143.00	171,429.00	228,572.00
EPA -Superfund State Site -Superfund Core Program -Underground Storage Tank Trust Fund Program (LUST)	10/90	423,955.67	3,815,601.00	4,239,556.67
EPA - Surveys, Studies, Investigations, and Special Purpose Grants	5.10/94.90	1,373.89	25,565.00	26,938.89
EPA -National Estuary Program -National Pollution Discharge Elimination System -Surveys, Studies, Investigations, and Special Purpose Grants -Safe Drinking Water Research and Demonstration -104(b) (3) Statewide Watershed Management -Consolidated Uniform Report for the Environment Project -Pollution Prevention & Institution Capacity Bldgs -- Texas/Mexico Border	5/95	20,221.32	384,205.00	404,426.32
EPA -Superfund State Site - Surveys, Studies, Investigations, and Special Purpose Grants -Water Quality Management Planning -Air Monitoring Program	0/100	0.00	612,863.00	612,863.00
DOD -Federal Facility Restoration Program	0/100	0.00	448,865.00	448,865.00

DOE-SECO pass-through -Pantex Facility Remediation	0/100	0.00	187,161.07	187,161.07
FEMA-DPS pass-through -National Flood Insurance program	25/75	25,325.50	75,976.51	101,302.01
TOTAL		5,267,302.54	14,464,932.58	19,732,235.12

D. Show the agency s expenditures by strategy.

Texas Natural Resource Conservation Commission Table 12: Expenditures by Strategy Fiscal Year 1998 (Actual)	
Goal/Strategy	Amount
Goal 1: Assessment and Permitting	
Air Quality Permitting	10,190,141.89
Water Resource Permitting	8,188,963.28
Waste Management and Permitting	9,634,476.65
Air Quality Assessment and Planning	47,561,847.85
Water Resource Assessment and Planning	18,035,152.91
Waste Management Assessment and Planning	13,464,134.27
Pollution Prevention and Recycling	4,611,630.02
Automotive Waste Management and Recycling	20,001,943.78
Safe Drinking Water	6,533,608.53
Water Utilities Oversight	1,980,700.38
Total for Goal 1	140,202,599.56
Goal 2: Enforcement & Compliance	
Field Inspections and Complaint Response	30,867,446.63
Enforcement and Compliance Support	7,662,925.25
Occupational Licensing	1,132,403.93
Total for Goal 2	39,662,775.81
Goal 3: Pollution Clean Up	
Storage Tank Administration	6,258,626.27
Storage Tank Cleanup	109,066,041.85
Hazardous Materials Cleanup	47,313,851.08
Total for Goal 3	162,638,519.20

Goal 4: Indirect Administration	
Central Administration	15,816,062.94
Information Resources	12,513,794.35
Other Support Services	13,168,638.47
Total for Goal 4	41,498,495.76
GRAND TOTAL:¹	\$384,002,390.33

Texas Natural Resource Conservation Commission	
Table 13: Expenditures by Strategy Fiscal Year 1999 (Actual thru 2/28/99)	
Goal/Strategy	Amount
Goal 1: Assessment and Permitting	
Air Quality Permitting	5,719,600.91
Water Resource Permitting	5,766,491.03
Waste Management and Permitting	3,642,384.37
Air Quality Assessment and Planning	31,938,791.27
Water Resource Assessment and Planning	8,076,814.36
Waste Management Assessment and Planning	11,936,526.78
Pollution Prevention and Recycling	2,121,521.14
Automotive Waste Management and Recycling	2,310,504.66
Safe Drinking Water	6,395,679.04
Water Utilities Oversight	1,139,299.18
Total for Goal 1	79,047,612.74
Goal 2: Enforcement & Compliance	
Field Inspections and Complaint Response	16,376,141.77
Enforcement and Compliance Support	3,573,160.94
Occupational Licensing	586,753.11
Total for Goal 2	20,536,055.82
Goal 3: Pollution Clean Up	
Storage Tank Administration	3,351,285.52

¹Includes encumbrances and only reflects expenditures against agency appropriations.

Storage Tank Cleanup ²	30,521,091.46
Hazardous Materials Cleanup	13,766,436.58
Total for Goal 3	47,638,813.56
Goal 4: Indirect Administration	
Central Administration	7,890,964.69
Information Resources	8,694,819.74
Other Support Services	10,007,524.48
Total for Goal 4	26,593,308.91
GRAND TOTAL: ³	\$173,815,791.03

E. Show the agency s expenditures and FTEs by program.

Texas Natural Resource Conservation Commission					
Table 14: Expenditures and FTEs by Strategy Fiscal Year 1998 (Actual)					
Strategy	Budgeted FTEs, FY 1998⁴	Actual FTEs as of August 31, 1998⁵	Federal Funds Expended	State Funds Expended	Total Actual Expenditures
Air Quality Permitting	261.2	216.10	0	10,190,141.89	10,190,141.89
Water Resource Permitting	171.2	153.0	909,549.32	7,279,431.96	8,188,963.28
Waste Management and Permitting	180.3	185.6	3,115,522.18	6,518,954.47	9,634,476.65
Air Quality Assessment and Planning	346.4	292.2	3,663,971.12	43,897,876.73	47,561,847.85
Water Resource Assessment and Planning	137.7	137.0	4,111,273.84	13,923,879.07	18,035,152.91

² Does not include 2nd quarter encumbrances

³ Includes encumbrances and only reflects expenditures against agency appropriations.

⁴ The budgeted FTEs for each strategy was calculated by dividing the budgeted salaries in each strategy by the average salary for the agency.

⁵ The actual FTE is based upon the actual hours worked by each strategy divided by the actual work hours for a given month.

Waste Management Assessment and Planning	38.7	35.7	67,159.69	13,396,974.58	13,464,134.27
Pollution Prevention and Recycling	66.5	58.8	829,907.35	3,781,722.67	4,611,630.02
Automotive Waste Management & Recycling	15.3	9.1	0	20,001,943.78	20,001,943.78
Safe Drinking Water	73.5	68.7	1,358,200.66	5,175,407.87	6,533,608.53
Water Utilities Oversight	45.9	43.1	76,820.42	1,903,879.96	1,980,700.38
Field Inspections & Complaint Response	628.6	606.40	7,653,584.41	23,213,862.22	30,867,446.63
Enforcement and Compliance Support	191.0	162.0	1,260,321.32	6,402,603.93	7,662,925.25
Occupational Licensing	25.7	28.3	0	1,132,403.93	1,132,403.93
Storage Tank Administration	113.1	102.2	469,300.61	5,789,325.66	6,258,626.27
Storage Tank Cleanup	0	0.00	1,212,435.72	107,853,606.13	109,066,041.85
Hazardous Materials Cleanup	134.3	121.6	25,026,955.64	22,286,895.44	47,313,851.08
Central Administration	326.2	292.20	12,621.76	15,803,441.18	15,816,062.94
Information Resources	181.9	179.60	0	12,513,794.35	12,513,794.35
Other Support Services	45.7	54.4	0	13,168,638.47	13,168,638.47
TOTAL	2983.2	2746.0	49,767,624.04	334,234,784.29	384,002,390.33

Strategy	Budgeted FTEs, FY 1999 ⁶	Actual FTEs as of February 28, 1999 ⁷	Federal Funds Expended	State Funds Expended	Total Actual Expenditures
Air Quality Permitting	248.9	227.9	36,381.11	5,683,219.80	5,719,600.91
Water Resource Permitting	166.6	160.0	409,158.88	5,357,332.15	5,766,491.03

⁶The budgeted FTEs for each strategy was calculated by dividing the budgeted salaries in each strategy by the average salary for the agency.

⁷The actual FTE is based upon the actual hours worked by each strategy divided by the actual work hours for a given month.

Waste Management and Permitting	187.3	151.8	942,862.58	2,699,521.79	3,642,384.37
Air Quality Assessment and Planning	329.5	298.6	3,002,525.05	28,936,266.22	31,938,791.27
Water Resource Assessment and Planning	157.7	197.2	1,478,314.54	6,598,499.82	8,076,814.36
Waste Management Assessment and Planning	42.6	38.6	59,614.19	11,876,912.59	11,936,526.78
Pollution Prevention & Recycling	61.5	53.5	161,247.15	1,960,273.99	2,121,521.14
Automotive Waste Management & Recycling	9.8	9.3	0	2,310,504.66	2,310,504.66
Safe Drinking Water	74.8	73.1	724,132.36	5,671,546.68	6,395,679.04
Water Utilities Oversight	45.2	43.1	0	1,139,299.18	1,139,299.18
Field Inspections & Complaint Response	651.1	646.5	3,593,192.21	12,782,949.56	16,376,141.77
Enforcement and Compliance Support	192.9	167.0	483,705.96	3,089,454.98	3,573,160.94
Occupational Licensing	24.6	24.2	0	586,753.11	586,753.11
Storage Tank Administration	101.9	90.1	164,700.04	3,186,585.48	3,351,285.52
Storage Tank Cleanup	0	0	337,575.65	30,183,515.81	30,521,091.46
Hazardous Materials Cleanup	173.2	157.2	5,060,327.61	8,706,108.98	13,766,436.58
Central Administration	330.0	306.5	8,339.80	7,882,624.89	7,890,964.69
Information Resources	184.7	178.0	229,363.34	8,465,456.40	8,694,819.74
Other Support Services	44.7	54.4	2,756.25	10,004,768.23	10,007,524.48
TOTAL	3027.0	2817.0	16,694,196.72	157,121,594.3 2	173,815,791.0 3

F. If applicable, please provide information on fees collected by the agency.

Texas Natural Resource Conservation Commission

Table 15: Fee Revenue and Statutory Fee Levels Fiscal Year 1998 & Fiscal Year 1999 (Actual thru 2/28/99)

Description/Program/ Statutory Citation	Current Fee/ Statutory maximum	Number of persons or entities paying fee	Fee Revenue (FY 1998)	Fee Revenue (FY1999 1st 6 mos.)	Where Fee Revenue is Deposited (e.g., General Revenue Fund)
Water Quality Act Violations (Admin. Penalties) Water 7.051, 7.052, Health & Safety 341.049	\$2,500/day - \$10,000/day/Varies with case		\$694,484	\$569,519	General Revenue
Application for Cert of Public Convenience & Necessity Water 13.4522(a)	\$100/application/Yes	67	\$7,200	\$4,450	Water Resource Mgmt. Account 153
Sale, Transfer or Merger of Cert of Public Convenience & Necessity Water 13.4522(b)	\$50 - \$500 based on # of water or sewer connections/Yes	95	\$19,840	\$7,950	Water Resource Mgmt. Account 153
Rate Change Application Fee Water 13.4521(a)	\$50 - \$500 based on # of water or sewer connections/Yes	132	\$16,900	\$7,100	Water Resource Mgmt. Account 153
Water Use Permit Application Fee Water 5.235(b),(c) and Genl Appns Act, Rider 9, TNRCC Appns.	\$1,000 - \$2,000/Yes		\$166,357	\$13,243	Water Resource Mgmt. Account 153
Water District Creation Application Fee Water 5.235(e)	\$700/application/N/A - Not specified in statute	8	\$5,000	\$8,500	Water Resource Mgmt. Account 153
Stormwater District Creation Application Fee Water 54.037(c) (refers to Water 5.235(e))	\$700/application/N/A - Not specified in statute		\$0	\$0	Water Resource Mgmt. Account 153
Temporary or Emergency Water Use Permits Water 11.138(g)	\$100 - \$250 based on # of acre-feet, plus notice, max \$500/Yes	142	\$16,322	\$5,639	Water Resource Mgmt. Account 153
Misc. Water District Application Fees Water 5.235(b)	\$100 plus cost of notice/Yes	194	\$14,900	\$12,000	Water Resource Mgmt. Account 153
Water Use Permit - Construction Delay Water 11.145	Varies based on # of acre-feet, plus cost of notice, max \$1,000/Yes		\$2,448	\$410	Water Resource Mgmt. Account 153
Water Use Permit - Irrigation, Impoundment, Other Water 5.235(i),(j),(k)	\$0.50 - \$1.00 per acre-foot, max \$50,000 then \$10,000 max for additional permits/Yes		\$0	\$0	Water Resource Mgmt. Account 153
Weather Modification Fee Water 18.054, .082	\$150 license, \$75 renewal/Yes		\$2,850	\$150	General Revenue
Water Quality Permit Application Fee Water 5.235(b),(c) and Genl Appns Act, Rider 9, TNRCC Appns.	\$1,000 - \$2,000/Yes		\$1,082,595	\$527,210	Water Resource Mgmt. Account 153

Water Use Max. Use Fee Water 5.235(k), (l)	If fee > \$1,000, this prov. allows applicant to pay 50% with app., bal. due after permit issued/Yes		\$47,865	\$0	Water Resource Mgmt. Account 153
Filing, application, petition, recording fees Water 5.235(b) Water 11.041(b)	\$100 application + \$25 deposit/Yes		\$500	\$250	Water Resource Mgmt. Account 153
Drilled or mined shafts fee Water 28.024	Pmt amount based on est'd cost to review application/N/A - statute specifies \$10,000 minimum		\$0	\$0	General Revenue
Disposal well, injection or gas well Fee Water 27.014 and Health & Safety 361.137(b)	\$25 non-hazardous app. fee, \$2,000 hazardous app. fee/Yes		\$0	\$0	General Revenue
Water Pollution Control Abatement Fee Water 26.177(e)	Authorized but not currently assessed/N/A - Not specified in statute		\$0	\$0	General Revenue
Subsurface Excavation Fee Water 31.007	\$1,000 minimum/N/A - statute specifies a minimum		\$0	\$0	General Revenue
Solid Waste Technical Training Fee Health & Safety 361.027	\$20 - \$40/ N/A - Not specified in statute	2027	\$7,850	\$3,330	TNRCC Occupational Licensing Acct. 468
Waste Disposal Act Violations (Admin Penalties) Water 7.051, 7.052	\$2,500/day - \$10,000/day/Varies with case		\$1,290,052	\$609,121	General Revenue
Waterworks Operator Certification Fee Health & Safety 341.034(b)	\$20 - \$80 and \$10 annual renewal fee/N/A - statute only specifies \$10 renewal fee	12,227	\$157,375	\$61,710	TNRCC Occupational Licensing Acct. 468
Clean Air Act Violations (Admin Penalties) Water 7.051, 7.052	\$2,500/day - \$10,000/day/Varies with case		\$2,220,842	\$564,031	General Revenue
Closed Landfill Development Application Fee Health & Safety 361.532(c)	\$2,500 initial app. fee/N/A - Not specified in statute	3	\$10,000	\$7,500	General Revenue
Water Quality Protection Zone Fee Water 26.179(g)	\$25/acre for initial app., then \$10/acre annually thereafter/N/A - Not specified in statute		\$157,549	\$0	General Revenue
Petroleum Storage Delivery Fee (collected by Comptroller for TNRCC) Water 26.3574(b)	\$25 - \$100 per delivery based on gallon size of delivery/N/A - statute specifies ranges		\$153,048,980	\$78,353,063	Petroleum Storage Tank Remediation Account 655
Petroleum Storage Tank Corrective Action Specialist Fee Water 26.3573(j)	\$200 application, \$175 renewal/N/A - Not specified in statute	945	\$76,005	\$35,895	TNRCC Occupational Licensing Acct. 468
Petroleum Storage Tank Project Manager Fee Water 26.3573(j)	\$50 exam, \$100 application, \$75 renewal/ N/A - Not specified in statute	495	\$44,093	\$21,647	TNRCC Occupational Licensing Acct. 468
Underground Storage Tank Contractors License Fee Water 26.458(a)	\$100 issuance, \$50 application, \$75 renewal, \$200 initial app. & exam/Yes	584	\$40,595	\$17,065	TNRCC Occupational Licensing Acct. 468
Underground Storage Tank Installers License Fee Water 26.458(a)	\$50 exam, \$200 application, \$175 renewal, \$200 initial app. & exam/Yes	834	\$159,456	\$91,660	TNRCC Occupational Licensing Acct. 468
Underground Storage Tank Registration Fee Water 26.358(f)	\$50/tank/Yes	34,137	\$3,680,399	\$2,740,620	Waste Management Account 549
Aboveground Storage Tank Registration Fee Water 26.358(f)	\$25/tank/Yes	8,841	\$386,399	\$331,940	Waste Management Account 549

Water Utility Regulatory Assessment Fee Water 5.235(n)	½ of 1% of utility companies' retail water service charges/Yes		\$3,023,501	\$1,748,794	Water Resource Mgmt. Account 153
Residential Water Treatment Certification Fee Plumbing License Law V.A.C.S. Art. 6243-101, Sec. 3A	\$20 - \$50/ N/A - Not specified in statute	476	\$6,270	\$4,120	General Revenue
Board of Irrigators Fee Water 34.007	\$75 app/exam, \$85 renewal for irrigators; \$35 app/exam and \$50 renewal for installers/No	3,558	\$371,026	\$132,886	TNRCC Occupational Licensing Acct. 468
Edwards Aquifer Development Application Fee - San Antonio Region/Water 26.0461(d)	\$100 - \$5,000 based on acreage, sewage system, linear ft. of pipe, etc./Yes	244	\$433,781	\$193,065	Water Resource Mgmt. Account 153
Rio Grande Watermaster Assessment/Water 11.329	Assessments vary with size of water rights allocations/N/A - Not specified in statute	81	\$542,713	\$441,214	Watermaster Administration Acct 158
South Texas Watermaster Assessment/Water 11.329	Assessments vary with size of water rights allocations/N/A - Not specified in statute	96	\$416,690	\$391,734	Watermaster Administration Acct 158
Water Utility Bond Issue Application Fee/Water 5.235(f)	\$500 plus cost of notice/N/A - Not specified in statute	100	\$61,675	\$19,000	Water Resource Mgmt. Account 153
Water Utility Bond Issue Proceeds Fee/Water 5.235(f)	0.25% of bond issue principal/Yes	73	\$452,785	\$377,650	Water Resource Mgmt. Account 153
Public Health Service Fee/Health & Safety 341.041	\$75 minimum, then based on # of retail connections/N/A - Not specified in statute	6,761	\$3,565,521	\$3,205,011	Water Resource Mgmt. Account 153
Wastewater Treatment Inspection Fee/Water 26.0291	Municipal discharge permits up to \$11,000 annually, industrial discharge permits up to \$25,000 annually/Yes	4,323	\$7,439,832	\$9,708,679	Water Resource Mgmt. Account 153
Wastewater Operator Certification Fee/Water 26.0301(c)	\$20 - \$160, varies with length of renewal period/No	9,304	\$231,366	\$89,315	TNRCC Occupational Licensing Acct. 468
Edwards Aquifer Development Application Fee - Austin Region/Water 26.0461(d)	\$100 - \$5,000 based on acreage, sewage system, linear ft. of pipe, etc./Yes	323	\$762,628	\$232,003	Water Resource Mgmt. Account 153
Edwards Aquifer Development Plan Amendments Water 26.0461	\$100 - \$5,000 based on acreage, sewage system, linear ft. of pipe, etc./Yes		\$0	\$0	Water Resource Mgmt. Account 153
Regional Water Quality Assessment Fee/Water 26.0135(h)	Varies based on wastewater discharge permit parameters. \$5 million annual revenue max/Yes	4,068	\$5,244,927	\$4,356,504	Water Resource Mgmt. Account 153
Water Saving Performance Stds. (a/k/a Plumbing Fixture Inspection) Fee/Health & Safety 372.002(d)	\$50 initial, \$25 annua/N/A - Not specified in statute	184	\$71,325	\$62,387	Water Resource Mgmt. Account 153
On-Site Septic Facility Treatment Research Council Fee/Health & Safety 367.010	\$10/application for an on-site septic facility/Yes		\$453,200	\$281,862	General Revenue
On-Site Septic Facility Permit Application Fee/Health & Safety 366.058	\$200 for single family dwelling, \$400 for other/N/A - Not specified in statute		\$457,080	\$145,000	Water Resource Mgmt. Account 153
On-Site Septic Facility Installers Certification Fees/Health & Safety 366.074	\$75 - \$125 based on license type/N/A - Not specified in statute	5,441	\$398,053	\$128,955	TNRCC Occupational Licensing Acct. 468

Sludge Hauler Registration Fee/Health & Safety 361.013(c)	\$100 - \$500/year based on volume hauled/Yes	11,111	\$380,065	\$37,855	Waste Mgmt. Acct 549 (50%) & Solid Waste Displ. Acct 5000 (50%)
Fee on Beneficial Land Use of Sludge /Health & Safety 361.013(a)	20¢ - 75¢/dry ton, \$100 minimum/Yes	267	\$140,946	\$140,664	Waste Mgmt. Acct 549 (50%) & Solid Waste Displ. Acct 5000 (50%)
Sludge Hauler Sticker Fee/Health & Safety 361.013(a)	\$10/motor transport vehicle/N/A - Not specified in statute		\$8,694	\$3,684	Waste Mgmt. Acct 549 (50%) & Solid Waste Displ. Acct 5000 (50%)
Fee on Beneficial Land Use of Sludge thru Permits /Health & Safety 361.013(a)	20¢ - 75¢/dry ton, \$100 minimum (rc - note chng)/Yes		\$54,743	\$39,790	Waste Mgmt. Acct 549 (50%) & Solid Waste Displ. Acct 5000 (50%)
Fee on Surface Disposal of Sludge thru Permits/Health & Safety 361.013(a)	\$1.25/ton, \$100 minimum/N/A - Not specified in statute		\$100,860	\$59,935	Waste Mgmt. Acct 549 (50%) & Solid Waste Displ. Acct 5000 (50%)
Motor Vehicle Safety Inspection Fee (collected by DPS for TNRC)/Health & Safety 382.0622	\$2.00/sticker sold by DPS to inspection stations/Yes		\$27,117,055	\$9,411,951	Clean Air Account 151
Air Permit Fees/Health & Safety 382.062	\$450 min, \$75,000 max. based on .15% capital cost of project period. Flexible permit fee \$25/ton/Yes	411	\$3,303,769	\$1,302,629	Clean Air Account 151
Air Inspection Fees/Health & Safety 382.062	\$25 min., \$75,000 max. Varies based on SIC Code of source/Yes	1,638	\$4,701,360	\$4,733,706	Clean Air Account 151
Air Permit Renewal Fees/Health & Safety 382.062	\$300 - \$10,000 based on emission tonnage/Yes	107	\$396,606	\$144,994	Clean Air Account 151
Air Emissions Fee/Health & Safety 382.0621	Varies with emissions tonnage, \$26/ton with 4,000 ton cap/Yes	2,161	\$40,848,025	\$37,687,071	Clean Air Account 151
Air Prevention of Significant Deterioration Fee/Health & Safety 382.062	\$1,500 min, \$75,000 max based on capital cost of project/Yes		\$0	\$0	Clean Air Account 151
Air Permit Amendment Fee/Health & Safety 382.062	\$450 min, \$75,000 max, based on .15% of capital cost of project period. Flexible permit fee \$25/ton o incremental emissions /Yes	508	\$2,659,887	\$895,286	Clean Air Account 151
Motor Vehicle Emissions Inspection Fee (collected by DPS for TNRC)/Health & Safety 382.037	\$0.44/vehicle (25% x \$1.75 DPS sticker fee)/N/A - Not specified in statute		\$1,466,519	\$397,063	Clean Air Account 151
Fuel Oil Surcharge Fee/Health & Safety 382.0145	20¢/ million BTU on fuel oil used between April 15 and October 15/Yes		\$0	\$0	Clean Air Account 151
Solid Waste Medical Waste Transport Fee Health & Safety 361.013(a)	\$100 - \$500 based on weight/N/A - Not specified in statute		\$17,950	\$7,800	Waste Mgmt. Acct 549 (50%) & Solid Waste Displ. Acct 5000 (50%)
Radioactive Disposal Site License Fees/Health & Safety 401.301	\$8,500 - \$28,900/N/A - Not specified in statute	16	\$39,325	\$8,700	Waste Mgmt. Acct 549
Solid Waste Disposal Permit Fee/Health & Safety 361.137	\$2,000 - \$50,000/Yes	61	\$5,967	\$2,800	Waste Mgmt. Acct 549 (50%) & Solid Waste Displ. Acct 5000 (50%)
Solid Waste Disposal Fee/Health & Safety 361.013(a)	\$1.25/ton by weight. By volume, 40¢/cu yd compacted, 25¢/cu yd uncompacted/Yes	221	\$28,320,144	\$12,272,283	Waste Mgmt. Acct 549 (50%) & Solid Waste Displ. Acct 5000 (50%)

Automotive Oil Sales Fee (collected by Comptroller for TNRCC)/Health & Safety 371.062	\$0.01/quart/Yes		\$1,821,707	\$652,107	Used Oil Recycling Account 146
Used Oil Registration Fee/Health & Safety 371.024, .027, .062	Authorized but not currently assessed/N/A - Not specified in statute		\$0	\$0	Used Oil Recycling Account 146
Waste Tire Recycling Fee (collected by Comptroller for TNRCC)/Health & Safety 361, Subchapter P (expired 12/31/97)	\$1.00 - \$3.50/tire sold at retail level, based on rim size/Yes		\$14,484,573	\$0	Waste Tire Account 5001
Toxic Chemical Release Reporting Fee/Health & Safety 370.008	\$25/release report form, \$250 max./Yes	1085	\$83,527	\$1,502	Waste Mgmt. Acct 549
Hazardous Waste Facility Fee/Health & Safety 361.135	\$250 - \$25,000 annually based on capacity/Yes	203	\$2,259,423	\$1,895,876	Waste Mgmt. Acct 549
Hazardous Waste Generation Fee/Health & Safety 361.134	\$50 - \$50,000 annually based on volume/Yes	2974	\$3,840,798	\$3,484,624	Waste Mgmt. Acct 549
Hazardous Waste Mgmt. Disposition Fee/Health & Safety 361.136(b)(1)(A), (d)	\$2.00 - \$37.50/ton based on source and method of disposal/No	926	\$12,867,245	\$6,267,420	Waste Mgmt. Acct. 549 (50%) and Hazardous & Solid Waste Remediation Fee Account 550 (50%)
Non-Hazardous Waste Facility Fee/Health & Safety 361.135	\$250 - \$25,000 annually based on capacity/Yes	22	\$47,811	\$39,914	Waste Mgmt. Acct 549
Non-Hazardous Waste Generation Fee/Health & Safety 361.134	\$50 - \$50,000 annually based on volume/Yes	2,099	\$1,136,962	\$1,161,881	Waste Mgmt. Acct 549
Hazardous Waste Permit Application Fee/Health & Safety 361.137	\$2,000 - \$50,000/Yes	247	\$336,380	\$112,115	Waste Mgmt. Acct 549
Lead-Acid Battery Fee (collected by Comptroller for TNRCC) Health & Safety 361.138(b)	\$2.00 on each retail sale of 12 volt batteries, \$3.00 on batteries > 12 volts/Yes		\$15,037,266	\$8,139,050	Hazardous & Solid Waste Remediation Fee Account 550
Class 1 Commercial Waste Mgmt. Fee/Health & Safety 361.136(b)(1)(B), (b)(2)	\$3.20 - \$7.50/ton based on source and method of disposal/No	215	\$1,984,939	\$537,494	Waste Mgmt. Acct. 549 (50%) and Hazardous & Solid Waste Remediation Fee Account 550 (50%)
Voluntary Clean Up Program Fee/Health & Safety 361.604	\$1,000 initial application then hourly thereafter/N/A - not specified in statute	1422	\$747,018	\$588,034	Waste Mgmt. Acct 549
Innocent Landowner Program Fee/Health & Safety 361.753(b)	\$1,000 initial application then hourly thereafter/N/A - not specified in statute		\$69,129	\$52,616	Hazardous & Solid Waste Remediation Fee Account 550
Conference & Seminar Fees FY98-99 Genl Appns Act, Art. IX, Sec 112	Varies with conference or seminar/N/A - not specified in statute		\$900,733	\$436,007	General Revenue
Tier I, II and III Pollution Control Equipment Exemption Fees/Tax Code 11.31	\$50, \$1,000 or \$2,500 based on level of review/N/A - not specified in statute	303	\$71,650	\$42,400	General Revenue
Central Records, Copy & Filing Fees/FY98-99 Genl Appns Act, Art. IX, Sec 107	Various N/A - not specified in statute		\$120,915	\$52,346	General Revenue
Data Processing Invoices/FY98-99 Genl Appns Act, Art. IX, Sec 107	Varies based on GSC cost recovery schedules/N/A - not specified in statute		\$74,782	\$44,516	General Revenue

G. Please fill in the following chart.

**Texas Natural Resource Conservation Commission
Table 16: Purchases from HUBs**

FISCAL YEAR 1996

Category	Total \$ Spent	Total HUB \$ Spent	Percent	Statewide Goal
Heavy Construction	N/A	N/A	N/A	11.9%
Building Construction	N/A	N/A	N/A	26.1%
Special Trade	N/A	N/A	N/A	57.2%
Professional Services	\$7,619,060	\$1,012,250	13.28%	20.0%
Other Services	\$41,310,901	\$3,647,222	8.82%	33.0%
Commodities	\$13,482,135	\$5,134,779	37.09%	12.6%
TOTAL	\$62,412,096	\$9,794,251	15.69%	

FISCAL YEAR 1997

Category	Total \$ Spent	Total HUB \$ Spent	Percent	Statewide Goal
Heavy Construction	N/A	N/A	N/A	11.9%
Building Construction	N/A	N/A	N/A	26.1%
Special Trade	N/A	N/A	N/A	57.2%
Professional Services	\$6,396,397	\$836,976	13.09%	20.0%
Other Services	\$41,975,343	\$4,699,988	11.2%	33.0%
Commodities	\$13,014,774	\$5,477,282	42.09%	12.6%
TOTAL	\$61,386,514	\$11,014,246	17.94%	

FISCAL YEAR 1998

Category	Total \$ Spent	Total HUB \$ Spent	Percent	Statewide Goal
Heavy Construction	N/A	N/A	N/A	11.9%

Building Construction	N/A	N/A	N/A	26.1%
Special Trade	N/A	N/A	N/A	57.2%
Professional Services	\$7,340,273	\$657,121	8.95%	20.0%
Other Services	\$35,613,019	\$6,072,900	17.0%	33.0%
Commodities	\$13,117,710	\$6,385,694	48.6%	12.6%
TOTAL	\$56,071,002	\$13,115,715	23.39%	

**Texas Natural Resource Conservation Commission
Table 17: Purchases from HUBs**

FISCAL YEAR 1996						
Category	Total \$ Spent	Total HUB \$ Spent		Percent		Statewide Goal
Heavy Construction	N/A	<u>Adj</u> N/A	<u>Other</u> N/A	<u>Adj</u> N/A	<u>Other</u> N/A	11.9%
Building Construction	N/A	N/A	N/A	N/A	N/A	26.1%
Special Trade	N/A	N/A	N/A	N/A	N/A	57.2%
Professional Services	\$7,619,060	\$876,359	\$135,891	11.5%	1.78%	20.0%
Other Services	\$41,310,901	\$3,647,222	---	8.82%	---	33.0%
Commodities	\$13,482,135	\$1,885,838	\$3,248,941	13.9%	24.0%	12.6%
TOTAL	\$62,412,096	\$6,409,419	\$3,384,832	10.27%	5.42%	
FISCAL YEAR 1997						
Category	Total \$ Spent	Total HUB \$ Spent		Percent		Statewide Goal
Heavy Construction	N/A	<u>Adj</u> N/A	<u>Other</u> N/A	<u>Adj</u> N/A	<u>Other</u> N/A	11.9%
Building Construction	N/A	N/A	N/A	N/A	N/A	26.1%
Special Trade	N/A	N/A	N/A	N/A	N/A	57.2%
Professional Services	\$6,396,397	\$740,737	\$96,239	11.5%	1.50%	20.0%
Other Services	\$41,975,343	\$4,699,988	---	11.2%	---	33.0%
Commodities	\$13,014,774	\$1,686,206	\$3,791,076	12.9%	29.1%	12.6%
TOTAL	\$61,386,514	\$7,126,931	\$3,887,315	11.6%	6.33%	

FISCAL YEAR 1998						
Category	Total \$ Spent	Total HUB \$ Spent		Percent		Statewide Goal
Heavy Construction	N/A	Adj N/A	Other N/A	Adj N/A	Other N/A	11.9%
Building Construction	N/A	N/A	N/A	N/A	N/A	26.1%
Special Trade	N/A	N/A	N/A	N/A	N/A	57.2%
Professional Services	\$7,340,273	\$555,789	\$101,332	7.57%	1.38%	20.0%
Other Services	\$35,613,019	\$6,072,900	---	17.0%	---	33.0%
Commodities	\$13,117,710	\$1,514,118	\$4,871,576	11.5%	37.1%	12.6%
TOTAL	\$56,071,002	\$8,142,807	\$4,972,908	14.52%	8.87%	

*The General Services Commission (GSC) adopted new rules on October 4, 1995, based on the Disparity Study conducted by the State of Texas which recognized some HUB groups have not been underutilized in some contracting categories and should not be included in the HUB goals for that category. Therefore, the underutilized HUBs in a procurement category are identified as ADJUSTED and the HUBs which have been overutilized in a procurement category are identified as OTHER.

H. Does the agency have a HUB policy? How does the agency address performance shortfalls related to the policy?

Yes, the TNRCC does have a HUB policy which proactively promotes HUB vendor participation in its procurement process. The procurement process is a competitive process, and because the HUB program is not a set aside program, shortfalls are experienced. The TNRCC, to the greatest extent possible, awards to HUBs those contracts not requiring competitive bidding. For purchases exceeding \$2000 but less than \$25,000, as mandated by Texas Government Code, Title 10, Subtitle D, Section 2151, two of the three required bids are solicited from HUB vendors--one a minority owned business and one a woman owned business. The majority of contracts entered into by the TNRCC are specialized in nature and require bid bonds, performance bonds, and insurance. Unfortunately, those requirements limit the number of HUB vendors who can meet those requirements. The TNRCC proactively encourages prime contractors to subcontract with HUB vendors. It is TNRCC policy that the vendor good faith effort language is included in all contract bid/proposal documents whose estimated value is in excess of \$100,000. Vendors are required to justify why subcontracting opportunities do not exist. Performance shortfalls are addressed by the following:

- 1) Participating in outreach activities such as Equal Opportunity Forums sponsored by the General Services Commission (GSC), other state agencies, elected officials and private corporations;
- 2) Disseminating information obtained from HUB contacts to agency staff;
- 3) Securing HUB vendors from the GSC Centralized Master Bidder List (CMBL) as well as other available listings. Vendors, if not certified, are encouraged to become certified by the GSC;

- 4) Maintaining a HUB web site for Vendor use;
- 5) Assigning program staff to be HUB representatives; HUB representatives meet on a monthly basis with the agency HUB Coordinator to discuss HUB related issues;
- 6) Providing HUB-related training to TNRCC staff; and
- 7) Providing monthly HUB utilization reports to program areas of the TNRCC.