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SFR-55/21

Annual Report on Performance Measures

Fiscal Year 2021

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Prepared by
Budget and Planning Division

SFR-55/21
April 2022

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Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*

Toby Baker, *Executive Director*

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Report Overview

Performance Measure Reporting

As part of the Texas Performance-Based Budgeting System, the Texas Commission on Environmental Quality (TCEQ) reports performance measure data to the Budget and Planning Division of the Office of Administrative Services. Agencies report performance via the Automated Budget and Evaluation System of Texas (ABEST). Each quarter, the agency reports key output and efficiency measure data to the Legislative Budget Board (LBB). At the end of each fiscal year, the agency reports performance for all key outcome, output, efficiency and explanatory measures. In addition, TCEQ provides ABEST reports to the Environmental Protection Agency.

Figure 1: picture of key



Performance measures are designated as key or non-key. Listed in the General Appropriations Act (GAA), key measures serve as budget drivers. Key measures are very significant as these are the focus of the GAA. Non-key measures are reported every two years when TCEQ prepares its Legislative Appropriations Request for the following biennium.

General Appropriations

Because the agency is appropriated funds based on performance, TCEQ makes every effort to meet all target levels, especially key measure targets. The GAA contains provisions to reward efficient, effective, high performing agencies. According to the Act, a high performing agency is one that achieves 80 percent of the performance measure targets.

FY 2020 Performance

At the end of the fourth quarter for fiscal year 2020, TCEQ met or exceeded 75% of its key performance measure targets. The agency met or exceeded the target for 70% of all measures. The agency was below the target for 9% of measures due to difficulties and public safety concerns due to the COVID-19 pandemic.

The Annual Report on Performance Measures

Texas Commission on Environmental Quality publishes this report annually as a tool to track the offices' performance and evaluate progress toward the agency's goals, objectives and strategies included in the Strategic Plan. The information in this report includes: the budget structure (goals, objectives, and strategies), for each measure – a performance measure description (and key measure identification when applicable), a performance table reflecting current data, an annual Variance Explanation (when actual performance is outside the target range of +/-5%), and identification of the office and division responsible for reporting the measure.

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TCEQ Offices and Divisions

Performance measures are reported by various TCEQ offices and divisions, as listed below:

Office Name	Abbr.	Division Name	Abbr.
Office of Administrative Services	OAS	Financial Administration	FA
Office of Air	OA	Air Grants	AG
		Air Permits	AP
		Air Quality	AQ
Office of Compliance and Enforcement	OCE	Critical Infrastructure	CI
		Environmental Assistance	EA
		Enforcement	EN
		Field Operations	FO
		Monitoring	MD
Office of the Executive Director	OED	External Relations	ER
Office of Waste	OOW	Permits & Registration	PR
		Radioactive Materials	RM
		Remediation	REM
		Waste Permits	WP
Office of Water	OW	Water Availability	WA
		Water Quality	WQ
		Water Quality Planning	WQP
		Water Supply	WS

Comments or Questions

Please direct comments or questions about this report to the Office of Administrative Services' Budget and Planning Division contact below:

<i>Contact</i>	<i>Phone</i>	<i>E-mail</i>
Jené Bearse	(512) 239-0299	jene.bearse@tceq.texas.gov

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Goals, Objectives and Strategies of the Texas Commission on Environmental Quality

Goal 1: Assessment, Planning, and Permitting

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 1.1: Reduce Toxic Releases

Decrease the amount of toxic chemicals released into the environment via air, water, and waste pollutants in Texas by at least 2 percent as comparing the current Toxic Release Inventory (TRI) values to the previously reported TRI values and reduce air, water, and waste pollutants through assessing the environment.

Strategy 1.1.1: 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 1.1.2: 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 1.1.3: 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.

Objective 1.2: Authorization Review/Process

Review and process 90 percent of air, water, and waste authorization applications within established time frames.

Strategy 1.2.1: Air Quality Permitting

Perform complete and timely reviews of applications to release pollutants into the air.

Strategy 1.2.2: 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 1.2.3: Waste Management and Permitting

Perform complete and timely reviews of applications relating to management and disposal of municipal and industrial solid and hazardous waste.

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Strategy 1.2.4: Occupational Licensing

Establish and maintain occupational certification programs to ensure compliance with statutes and regulations that protect public health and the environment.

Objective 1.3: Ensure Proper/Safe Disposal

Ensure the proper and safe recovery of source material and disposal of low-level radioactive waste.

Strategy 1.3.1: Radioactive Materials Management

Ensure the proper and safe recovery of source material and disposal of low-level radioactive waste.

Goal 2: Drinking Water

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 2.1: Increase Safe Drinking Water

Supply 95 percent of Texans served by public drinking water systems with safe drinking water as required by the Safe Drinking Water Act to provide regulatory oversight of water and sewer utilities and to promote regional water strategies.

Strategy 2.1.1: 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.

Goal 3: Enforcement and Compliance Assistance

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 3.1: Compliance and Response to Citizens

Maintain at least 95 percent of all regulated facilities in compliance with state environmental laws and regulations, to respond appropriately to citizen inquiries and complaints and to prevent pollution, conserve resources, and enhance compliance.

Strategy 3.1.1: Field Inspections and Complaint Response

Promote compliance with environmental laws and regulations by conducting field inspections and responding to citizen complaints.

Strategy 3.1.2: 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

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compliance with environmental laws and regulations by taking swift, sure, and just enforcement actions to address violations.

Strategy 3.1.3: Pollution Prevention and Recycling

Enhance environmental performance, pollution prevention, recycling, and innovative programs through technical assistance, public education, and innovative programs implementation.

Goal 4: Pollution Cleanup

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 4.1: Contaminated Site Cleanup

Identify, assess, and remediate six additional Superfund sites and/or other sites contaminated by hazardous materials to identify, assess, and remediate the known leaking petroleum storage tank (LPST) sites.

Strategy 4.1.1: 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 4.1.2: 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 that threaten human health and environment.

Goal 5: Texas River Compacts

Ensure the delivery of Texas' equitable share of water.

Objective 5.1: River Compact Commissions

Ensure the delivery of 100% of Texas' equitable share of water as apportioned by the River Compacts.

Strategy 5.1.1: Canadian River Compact

Prepare and resolve the annual accounting of water stored by each compact state.

Strategy 5.1.2: Pecos River Compact

Prepare and resolve the annual accounting of water deliveries to Texas by New Mexico as apportioned by the Pecos River Compact and the U.S. Supreme Court decree.

Strategy 5.1.3: Red River Compact

Develop and implement an annual accounting system of quality water deliveries to each compact state.

Strategy 5.1.4: Rio Grande River Compact

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Prepare and resolve the annual accounting of water deliveries to Texas by Colorado and New Mexico as apportioned by the Rio Grande Compact.

Strategy 5.1.5: Sabine River Compact

Prepare and resolve the annual accounting of water diversions by Texas and Louisiana as apportioned by the Sabine River Compact.

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Goal 1: Assessment, Planning, and Permitting

Objective 1.1: Reduce Toxic Releases

1.1 OC 1 Percent of stationary and mobile source pollution reductions in ozone non-attainment areas (key)

Table 1: measure 1.1 oc 1 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	3%	10%	333.33%

Variance Explanation

Performance exceeds the target for the percent of stationary and mobile source pollution reductions in ozone non-attainment areas for FY 2021. The higher than targeted performance is a positive environmental outcome. This measure compares the percent change in volatile organic compounds and nitrogen oxides emitted in ozone nonattainment areas from point, area, on-road mobile, and non-road mobile sources. Performance exceeds the target because of significant decreases in mobile emissions due to more stringent emissions standards for newer on-road and non-road mobile sources combined with the simultaneous attrition of older, higher-emitting mobile sources.

Reported by: OA AQ

1.1 OC 2 Nitrogen oxides (NOx) emissions reduced through the Texas Emissions Reduction Plan (TERP) (key)

Table 2: measure 1.1 oc 2 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	21.1	16.5	78.20%

Variance Explanation

Performance is below the target for nitrogen oxides (NOx) emissions reduced through the Texas Emissions Reduction Plan (TERP). This measure reports the tons per day of NOx estimated to have been reduced by TERP Diesel Emissions Reduction Incentive (DERI) projects reported during the fiscal year. Performance is lower than originally projected because to the majority of the grant projects were awarded in the fourth quarter of the second year of the biennium; these grantees will begin reporting in FY 2022.

Reported by: OA AG

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1.1 OC 3 Percent of Texans living where the air meets federal air quality standards (key)

Table 3: measure 1.1 oc 3 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	100%	44%	44%

Variance Explanation

Performance is below the target for the percent of Texans living where the air meets federal air quality standards. This measure represents the percent of Texans living in counties that meet the 2015 federal National Ambient Air Quality Standards (NAAQS) for ozone of 70 parts per billion (ppb) during a calendar year. Performance is below the target because the designated areas did not meet the ozone standards by the attainment date of 2021. Areas are required to meet the NAAQS three years after designations. Areas in Texas were designated in 2018 and therefore were required by the Environmental Protection Agency (EPA) to meet the NAAQS by 2021. The areas did not meet the attainment date due to several recent ozone seasons with unfavorable meteorology, which caused higher than expected ozone concentrations. Ozone requires sunlight to form, and areas will measure higher ozone during years that have higher temperatures, little rain, and slower winds.

Reported by: OA AQ

1.1 OC 4 Percent reduction in pollution from permitted wastewater facilities discharging to the waters of the state

Table 4: measure 1.1 oc 4 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	0.10%	0.03	33%

Variance Explanation

Performance is below the target for percent reduction in pollution from permitted wastewater facilities discharging to the waters of the state. Lower performance is desired and favorable.

Reported by: OW WQ

1.1 OC 5 Percent of Texas classified surface waters meeting or exceeding water quality standards (key)

Table 5: measure 1.1 oc 5 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	56%	56%	100.00%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OW WQP

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1.1 OC 6 Percent of solid waste diverted from municipal solid waste landfills

Table 6: measure 1.1 oc 6 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	4%	4.62%	115.50%

Variance Explanation

Performance exceeds the target for the annual percent of solid waste diverted from municipal solid waste disposal facilities for FY 2021. Higher performance is desired and favorable. This measure is a general indicator of the effectiveness of statewide solid waste diversion and planning efforts. Data for this measure is taken from annual municipal solid waste landfill and processing facility reports. The data does not include waste diverted prior to reaching a landfill or processing facility.

Reported by: OOW WP

1.1 OC 7 Percent decrease in the toxic releases in Texas (key)

Table 7: measure 1.1 oc 7 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	2%	14%	700%

Variance Explanation

Performance exceeds the target for percent decrease in the toxic releases in Texas. Higher performance is desired and favorable. The data for this measure reflects the difference between the current year and previous year toxic releases to air, water, land, and underground injections as reported in EPA's Toxic Release Inventory (TRI) data set. Performance for TRI reporting year 2018 to 2019 showed an overall decrease (13.15 million pounds) in the release of the core 1988 toxic chemicals. For the upcoming fiscal year, the annual percent decrease in toxic releases in Texas is expected to be met.

Reported by: OA AQ

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1.1 OC 8 Percent change in the amount of municipal solid waste going into Texas municipal solid waste landfills

Table 8: measure 1.1 oc 8 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	2%	0.64%	32%

Variance Explanation

Performance is below the target for the annual percent change in the amount of municipal solid waste going into Texas municipal solid waste landfills. Lower performance is desired and favorable. This measure reflects recycling and conservation efforts to reduce the amount of waste going into Texas municipal solid landfills. The amount of municipal solid waste disposed decreased by 0.64% from FY 2020 to FY 2021. Factors that impact performance include statewide economic conditions, population growth, and natural disaster events. In addition, the population in Texas increased by 1.26 percent in 2021, the reporting period for this performance measure.

Reported by: OOW WP

1.1 OC 9 Percent of high and significant hazard dams inspected within the last five years (key)

Table 9: measure 1.1 oc 9 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	100%	84.66%	84.66%

Variance Explanation

Performance is below the target for the percent of high hazard and significant hazard dams inspected within the last five years for FY 2021. This measure reflects the percent of high hazard and significant hazard dams that have had safety inspections performed within the last five years. Performance is below the target due to a continued increase in the number of high hazard and significant hazard dams added to the inventory as a result of increased downstream development near dams without an increase in staffing. The impact of the COVID-19 pandemic on conducting field inspections has also contributed to lower performance.

Reported by: OCE CI

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1.1 OC 10 Number of acres of habitat created, restored, and protected through implementation of estuary action plans

Table 10: measure 1.1 oc 10 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	5,800	2,519	43.43%

Variance Explanation

The number of acres of habitat created, restored, and protected through implementation of estuary action plans is below the fiscal 2021 target of 5,800-acres due to delays in closing on the Chocolate Bay Preserve. The project was initially scheduled to close in the fall of 2020, but a previous undivided interest of the state (Texas General Land Office) was discovered on one of the tracts after completing extensive title work to close the transaction. The GLO required the interest be bought by the current landowner before the current transaction could be completed. This took a significant amount of time due to complexity, pandemic closures, and survey and appraisal updates. The transaction is completing final review by the funding agencies and will close in October 2021, after the FY 2021 reporting period ends.

Reported by: OW WQP

Strategy 1.1.1: Air Quality Assessment and Planning

1.1.1 OP 1 Number of point-source air quality assessments (key)

Table 11: measure 1.1.1 op 1 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	512.5	496	96.78%
Second	512.5	155	30.24%
Third	512.5	814	158.83%
Fourth	512.5	632	123.32%
Year-to-date	2,050	2,097	102.29%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OA AQ

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1.1.1 OP 2 Number of area-source air quality assessments (key)

Table 12: measure 1.1.1 op 2 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	800	6,350	793.75%
Second	800	2,794	349.25%
Third	800	10,668	1,333.5%
Fourth	800	1,270	158.75%
Year-to-date	3,200	21,082	658.81%

Variance Explanation

Performance exceeded the target for the number of area source air quality assessments. This measure reflects the number of area source emissions inventories inventoried or calculated by county and loaded into a TCEQ database. Performance was exceeded as numerous area source assessments were developed in preparation for the Air Emissions Reporting Requirements submission to the United States Environmental Protection Agency that is due at the end of calendar year 2021.

Reported by: OA AQ

1.1.1 OP 3 Number of on-road mobile source air quality assessments (key)

Table 13: measure 1.1.1 op 3 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	253.25	363	143.34%
Second	253.25	110	43.44%
Third	253.25	309	122.01%
Fourth	253.25	393	155.18%
Year-to-date	1,013	1,175	115.99%

Variance Explanation

Performance exceeds the target for the number of on-road mobile-source air quality assessments. This measure reflects the number of on-road mobile source transportation-related scenarios evaluated by the agency's Air Quality Division. Performance was exceeded as numerous on-road mobile assessments were completed in preparation for state implementation planning activities associated with sulfur dioxide national ambient air quality standards as well as for evaluation of the United States Environmental Protection Agency's newly released Motor Vehicle Emissions Simulator model (MOVES3). Reported by: OA AQ

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1.1.1 OP 4 Number of non-road mobile source air quality assessments

Table 14: measure 1.1.1 op 4 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	750	1,258	167.73%
Second	750	1,512	201.60%
Third	750	508	67.33%
Fourth	750	1,758	234.40%
Year-to-date	3,000	5,036	167.87%

Variance Explanation

Performance exceeded the target for the number of non-road mobile air quality assessments. This measure reflects the number of non-road mobile-source assessments inventoried or calculated by county and loaded into a TCEQ database. Performance was exceeded as numerous non-road mobile assessments were completed in preparation for state implementation planning activities associated with sulfur dioxide national ambient air quality standards as well as preparation for the Air Emissions Reporting Requirements submission to the United States Environmental Protection Agency that is due at the end of calendar year 2021.

Reported by: OA AQ

1.1.1 OP 5 Number of air monitors operated (key)

Table 15: measure 1.1.1 op 5 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	393	409	104.07%
Second	393	409	104.07%
Third	393	410	104.33%
Fourth	393	403	102.54%
Year-to-date	393	403	102.54%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OCE MD

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FY 2021

1.1.1 OP 6 Tons of NOx reduced through the Emissions Reduction Plan (key)

Table 16: measure 1.1.1 op 6 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	753.25	247.10	32.80%
Second	753.25	154.00	20.44%
Third	753.25	0.00	0.00%
Fourth	753.25	5,766.20	765.51%
Year-to-date	3,013	6,167.30	204.69%

Variance Explanation

Performance exceeds the target for the number of tons of nitrogen oxides (NOx) reduced through the Texas Emissions Reduction Plan. This measure reports on the tons of NOx projected to be reduced from projects funded through the Diesel Emissions Reduction Incentive (DERI) Program. The Emissions Reduction Incentive Grants (ERIG) opportunity opened in the second quarter of the fiscal year and grant funds were awarded in the fourth quarter of the fiscal year.

Reported by: OA AG

1.1.1 OP 7 Number of vehicles replaced and/or repaired through LIRAP assistance

Table 17: measure 1.1.1 op 7 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	0	0	100.00%
Second	0	0	100.00%
Third	0	0	100.00%
Fourth	0	0	100.00%
Year-to-date	0	0	100.00%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OA AQ

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FY 2021

1.1.1 OP 8 Number of Emissions Banking and Trading transaction applications reviewed

Table 18: measure 1.1.1 op 8 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	250	276	110.40%
Second	250	509	203.60%
Third	250	501	200.40%
Fourth	250	317	126.80%
Year-to-date	1,000	1,603	160.30%

Variance Explanation

Performance exceeds the target for the number of emissions banking and trading transaction applications reviewed. This measure quantifies the number of transactions reviewed by the Emissions Banking and Trading Program. Performance exceeds the target due the processing of a significant number of annual report projects as well as large number of trades, requests to use credits, and creditability reviews.

Reason for revisions: After the third quarter outputs were submitted, the Emission Banking and Trading (EBT) program changed tracking elements in the query for reporting quarterly EBT LBB performance measures. When the query was re-run, it was found that several transactions were not reported correctly for the first, second, and third quarters.

Reported by: OA AQ

1.1.1 EF 1 Percent of valid data collected by TCEQ continuous and non-continuous air-monitoring networks

Table 19: measure 1.1.1 ef 1 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	94%	95%	101.06%
Second	94%	94%	100.00%
Third	94%	93%	98.94%
Fourth	94%	90%	95.74%
Year-to-date	94%	95.74%	95.74%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OCE MD

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FY 2021

1.1.1 EF 2 Average cost per air quality assessment

Table 20: measure 1.1.1 ef 2 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	\$252	\$66.39	26.35%
Second	\$252	\$123.21	48.89%
Third	\$252	\$46.13	18.31%
Fourth	\$252	\$140.12	55.60%
Year-to-date	\$252	\$76.92	30.52%

Variance Explanation

Performance is below the target for the average cost per air quality assessment. Lower performance is desired and favorable. This measure accounts for the funds expended on salaries and other operating expenses related to staff who work on point source, area source, on-road, and non-road mobile source air quality assessments. Performance of point source, area source, on-road assessments, and non-road assessments completed during the reporting period is higher than expected and resulted in a lower cost per air quality assessment.

Reported by: OA AQ

1.1.1 EF 3 Average cost of LIRAP vehicle emissions repairs/retrofits

Table 21: measure 1.1.1 ef 3 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	\$0	\$0	100.00%
Second	\$0	\$0	100.00%
Third	\$0	\$0	100.00%
Fourth	\$0	\$0	100.00%
Year-to-date	\$0	\$0	100.00%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OA AQ

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FY 2021

1.1.1 EF 4 Average cost per ton of NOx reduced through TERP expenditures (key)

Table 22: measure 1.1.1 ef 4 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	\$13,000	\$23,755.90	182.74%
Second	\$13,000	\$23,841.22	183.39%
Third	\$13,000	\$0.00	0.00%
Fourth	\$13,000	\$7,694.10	59.19%
Year-to-date	\$13,000	\$8,762.57	67.40%

Variance Explanation

Performance exceeds the target for the average cost per ton of NOx reduced through TERP expenditures. Lower performance is desired and favorable. This measure reports on the average cost per ton of NOx projected to be reduced from projects funded through the Diesel Emissions Reduction Incentive (DERI) Program grants. The cost to achieve a ton of NOx reductions lowered as ERIG application reviews were completed and grant funds were awarded during the fourth quarter of the fiscal year.

Reported by: OA AG

1.1.1 EX 1 Number of days ozone exceedances are recorded in Texas

Table 23: measure 1.1.1 ex 1 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	18	31	172.22%

Variance Explanation

Performance exceeds the target for the number of days ozone exceedances are recorded in Texas. Lower performance is desired and favorable. This measure sums the number of days 8-hour ozone concentrations exceeded the 2015 federal National Ambient Air Quality Standards (NAAQS) for ozone of 70 parts per billion (ppb) during a calendar year 2020. Performance is higher than the target due to a recent ozone season with unfavorable meteorology, which caused higher than expected ozone concentrations and more days exceeding ozone NAAQS than originally projected. Ozone requires sunlight to form and areas typically observe more exceedances during years that have higher temperatures, little rain, and slower winds.

Reported by: OA AQ

Annual Performance Measure Report

FY 2021

Strategy 1.1.2: Water Resource Assessment and Planning

1.1.2 OP 1 Number of surface water assessments (key)

Table 24: measure 1.1.2 op 1 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	12.5	2	16%
Second	12.5	3	24%
Third	12.5	6	48%
Fourth	12.5	37	296%
Year-to-date	50	48	96%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OW WQP

1.1.2 OP 2 Number of groundwater assessments (key)

Table 25: measure 1.1.2 op 2 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	13.5	9	66.67%
Second	13.5	12	88.89%
Third	13.5	5	37.04%
Fourth	13.5	28	207.41%
Year-to-date	54	54	100.00%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OW WS

1.1.2 OP 3 Number of dam safety assessments (key)

Table 26: measure 1.1.2 op 3 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	200	66	33.00%
Second	200	121	60.50%
Third	200	205	102.50%
Fourth	200	212	106.00%
Year-to-date	800	604	75.50%

Variance Explanation

Performance is below the target for the number of dam safety assessments conducted. The lower than targeted performance for the year is due to the impact of the COVID-19 pandemic on conducting field inspections during the first and second quarters of FY 2021.

Reported by: OCE CI

Annual Performance Measure Report

FY 2021

1.1.2 EF 1 Average cost per dam safety assessment

Table 27: measure 1.1.2 ef 1 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	\$3,000	\$6,986	232.87%
Second	\$3,000	\$5,452	181.33%
Third	\$3,000	\$2,313	77.10%
Fourth	\$3,000	\$2,359	78.63%
Year-to-date	\$3,000	\$3,469	115.63%

Variance Explanation

Performance exceeds the target for the average cost per dam safety assessment. This measure represents the average cost for dam safety assessments performed by TCEQ staff. The average cost per assessment is highly dependent on fluctuations in operating costs and expenses, such as professional or temporary services. The costs will vary depending on the contract, and when the contractor invoices TCEQ for services provided to the agency.

Reported by: OCE CI

1.1.2 EX 1 Percent of Texas rivers, streams, wetlands and bays protected by site-specific water quality standards

Table 28: measure 1.1.2 ex 1 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	36%	36%	100%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OW WQP

1.1.2 EX 2 Number of dams in the Texas Dam Inventory

Table 29: measure 1.1.2 ex 2 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	4,005	4,052	101.17%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OCE CI

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FY 2021

Strategy 1.1.3: Waste Management Assessment and Planning

1.1.3 OP 1 Number of active municipal solid waste landfill capacity assessments (key)

Table 30: measure 1.1.3 op 1 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	48.75	56	114.87%
Second	48.75	50	102.56%
Third	48.75	59	121.03%
Fourth	48.75	33	67.69%
Year-to-date	195	198	101.54%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OOW WP

1.1.3 EF 1 Average number of hours per municipal solid waste facility capacity assessment

Table 31: measure 1.1.3 ef 1 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	2.00	0.75	38.00%
Second	2.00	0.88	44.00%
Third	2.00	1.02	51.00%
Fourth	2.00	1.75	88.00%
Year-to-date	2.00	1.75	87.50%

Variance Explanation

Performance is below the target for the average number of hours per municipal solid waste facility capacity assessment for FY 2021. Lower performance is desired and favorable. This measure quantifies the time to obtain and review capacity assessments to create a statewide report. Capacity assessments submitted via the online reporting system decreased the amount of staff time needed for review of facility capacity assessments, and the Annual Statewide Summary Report was created.

Reported by: OOW WP

1.1.3 EX 1 Number of council of government regions in the state with 10 years or more of disposal capacity

Table 32: measure 1.1.3 ex 1 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	24	24	100.00%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OOW WP

Annual Performance Measure Report

FY 2021

Objective 1.2: Review and Process Authorizations

1.2 OC 1 Percent of air quality permit applications reviewed within established time frames

Table 33: measure 1.2 oc 1 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	75%	95%	126.67%

Variance Explanation

Performance exceeds the target for the percent of air quality permit applications reviewed within established time frames for FY 2021. This measure indicates the extent to which the Air Permits Division reviews air quality permit applications within established time frames. Performance is attributed to the increase in the automated process through the use of the ePermits system, backlog reduction and streamlining efforts.

Reported by: OA AP

1.2 OC 2 Percent of water quality permit applications reviewed within established time frames

Table 34: measure 1.2 oc 2 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	90%	57.4%	63.81%

Variance Explanation

Performance for the percent of water quality permit applications reviewed within established timeframes is below the target for FY 2021. This measure reflects the agency workload with regard to processing wastewater permits. The performance for the percentage of applications reviewed on time is lower than anticipated due to a large number of complex permits and issuing older permit applications that do not meet timeframes.

Reported by: OW WQ

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FY 2021

1.2 OC 3 Percent of water-rights permit applications reviewed within established time frames

Table 35: measure 1.2 oc 3 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	75%	56%	74.67%

Variance Explanation

Performance for the percent of water rights permit applications reviewed within established time frames was below the target for FY 2021. This measure reflects the percent of uncontested water right applications reviewed within established timeframes. This measure includes all completed permit applications (granted, returned, withdrawn, and denied). This measure was below the target due to the increasingly complex nature of water rights permitting applications. More of the applications are requiring complex accounting plans which must be reviewed and approved by staff. Currently, several complex water right permit applications are pending with the program and the review of those applications already exceeds established timeframes. Those applications are prioritized for completion. Focus on meeting timeframes for the less complex applications is expected to result in obtaining this measure.

Reported by: OW WS

1.2 OC 4 Percent of waste management permit applications reviewed within established time frames

Table 36: measure 1.2 oc 4 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	90%	92.94%	103.27%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OOW WP

Annual Performance Measure Report

FY 2021

Strategy 1.2.1: Air Quality Permitting

1.2.1 OP 1 Number of state and federal new source review air quality permit applications reviewed (key)

Table 37: measure 1.2.1 op 1 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	1950	1,525	78.21%
Second	1950	1,446	74.15%
Third	1950	1,643	84.26%
Fourth	1950	1,544	79.18%
Year-to-date	7,800	6,158	78.95%

Variance Explanation

Performance is below the target for the number of state and federal new source review air quality permit applications reviewed. This measure quantifies the permitting workload of the agency's staff assigned to review state and federal new source review permit applications. Performance is attributed to a continued decrease in the number of air authorizations applications received.

Reported by: OA AP

1.2.1 OP 2 Number of federal air quality operating permits reviewed (key)

Table 38: measure 1.2.1 op 2 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	225	219	97.33%
Second	225	222	98.67%
Third	225	279	124.00%
Fourth	225	262	116.44%
Year-to-date	900	982	109.11%

Variance Explanation

Performance exceeds the target for the number of federal air quality operating permits reviewed. This measure quantifies the permitting workload of Air Permits Division staff assigned to review federal operating permit applications. Performance is attributed to staff working on backlog reduction and streamlining efforts.

Reported by: OA AP

Annual Performance Measure Report

FY 2021

1.2.1 EX 1 Number of state and federal air quality permits issued

Table 39: measure 1.2.1 ex 1 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	7,000	5,912	84.46%

Variance Explanation

Performance is below the target for the number of state and federal air quality permits issued for FY 2021. This measure reports the number of New Source Review (NSR) air quality permit applications issued under the Texas Clean Air Act and federal NSR permitting programs. Performance is attributed to a continued decrease in the number of air authorizations applications received.

Reported by: OA AP

1.2.1 EX 2 Number of federal air quality permits issued

Table 40: measure 1.2.1 ex 2 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	650	666	102.46%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OA AP

Strategy 1.2.2: Water Resource Permitting

1.2.2 OP 1 Number of applications to address water quality impacts reviewed (key)

Table 41: measure 1.2.2 op 1 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	3,109.5	2,968	23.86%
Second	3,109.5	2,928	94.16%
Third	3,109.5	3,414	109.79%
Fourth	3,109.5	4,762	153.14%
Year-to-date	12,438	14,072	113.14%

Variance Explanation

Performance exceeds the target for the number of applications to address water quality impacts reviewed for FY 2021. This measure reflects the number of individual and general wastewater permits, Edwards Aquifer Protection Plans, and on-site sewage facility applications reviewed by the Water Quality Division and the Office of Compliance and Enforcement. The number of applications received tends to fluctuate with economic factors. Performance during the fiscal year was higher than anticipated for general wastewater permits due to the renewal of the stormwater Multisector General Permit that occurs every five years and increased on-site sewage facility applications due to changing economic conditions, urban sprawl to areas not serviced by city sewer systems, and increased rural development.

Reported by: OW WQ and OCE FO

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FY 2021

1.2.2 OP 2 Number of applications to address water-rights impacts reviewed

Table 42: measure 1.2.2 op 2 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	148.75	218	146.55%
Second	148.75	207	139.16%
Third	148.75	316	212.44%
Fourth	148.75	247	166.05%
Year-to-date	595	988	166.05%

Variance Explanation

Performance exceeds the target for the number of applications to address water rights impacts reviewed. This measure reflects agency workload with regard to the number of water supply contracts, changes of ownership, water right permit applications, and temporary water right applications reviewed by the Water Availability Division and Office of Compliance and Enforcement. The number of temporary water rights applications associated with oil and gas exploration and productions activities in the Beaumont region remains high. The agency exceeded its target due to an initiative to decrease the number and improve the processing timeframes for pending water right permit applications and change of ownership applications. Exceeding this performance measure target is expected to continue for the duration of this initiative.

Reported by: OW WS and OCE FO

1.2.2 OP 3 Number of concentrated animal feeding operation (CAFO) authorizations reviewed (key)

Table 43: measure 1.2.2 op 3 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	12.5	7	56%
Second	12.5	9	72%
Third	12.5	13	104%
Fourth	12.5	13	104%
Year-to-date	50.0	42	84%

Variance Explanation

Performance is below the target for the number of concentrated animal feeding operations (CAFO) authorizations reviewed for FY 2021. This measure reflects the agency workload regarding the processing of CAFO authorizations. Performance is lower than anticipated due to fewer new facilities and fewer significant expansions during the first and second quarters of FY 2021.

Reported by: OW WQ

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FY 2021

1.2.2 EX 1 Number of water quality permits issued

Table 44: measure 1.2.2 ex 1 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	663	701	105.73%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OW WQ

1.2.2 EX 2 Number of water rights permits issued or denied

Table 45: measure 1.2.2 ex 2 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	75	102	136%

Variance Explanation

Performance for the number of water rights issued exceeds the target for FY 2021. This measure includes all completed permit applications granted or denied. This measure was above the target due to an initiative to decrease the number and improve the processing timeframes for pending water right permit applications. For FY 2021, this initiative focused on expediting the processing of less complex water rights applications. The FY 2021 result was an increase in the number of water rights permits issued. Performance above the target is anticipated for the duration of the initiative.

Reported by: OW WS

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FY 2021

Strategy 1.2.3: Waste Management and Permitting

1.2.3 OP 1 Number of new system waste evaluations conducted

Table 46: measure 1.2.3 op 1 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	142.5	130	91.23%
Second	142.5	131	91.93%
Third	142.5	148	103.86%
Fourth	142.5	144	101.05%
Year-to-date	570.0	553	97.02%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OOW WP

1.2.3 OP 2 Number of municipal non-hazardous waste permit applications reviewed (key)

Table 47: measure 1.2.3 op 2 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	62.5	41	65.6%
Second	62.5	43	68.8%
Third	62.5	45	72.0%
Fourth	62.5	38	60.8%
Year-to-date	250.0	167	66.8%

Variance Explanation

Performance is below the target for the number of municipal non-hazardous waste permit applications reviewed for FY 2021. This measure represents the number of municipal solid waste permit, registration, and notification applications reviewed by staff. These applications reflect requests for authorization made by the regulated community in response to changing business needs, which can include, but is not limited to, opening a new facility, expanding facilities, changing operating hours, or modifying accepted waste types. The number of applications submitted by the regulated community can fluctuate year to year. Performance is attributed to a decrease in the number of applications received.

Reported by: OOW WP

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1.2.3 OP 3 Number of industrial and hazardous waste permit applications reviewed (key)

Table 48: measure 1.2.3 op 3 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	50	55	110%
Second	50	45	90%
Third	50	53	106%
Fourth	50	54	108%
Year-to-date	200	207	103.5%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OOW WP

1.2.3 EX 1 Number of municipal non-hazardous waste permits issued

Table 49: measure 1.2.3 ex 1 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	200	158	79%

Variance Explanation

Performance is below the target for the number of municipal non-hazardous waste permits issued for FY 2021. This measure represents the number of municipal solid waste permit, registration, and notification applications issued during the reporting period. These actions reflect requests for authorization made by the regulated community in response to changing business needs which can include, but is not limited to, opening a new facility, expanding facilities, changing operating hours, or modifying accepted waste types. Annual performance is attributed to a decrease in the number of applications received and processed this year.

Reported by: OOW WP

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1.2.3 EX 2 Number of industrial and hazardous waste permits issued

Table 50: measure 1.2.3 ex 2 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	200	238	119%

Variance Explanation

Performance exceeds the target for the number of industrial and hazardous waste permits issued for FY 2021. This measure represents the number of hazardous waste permits, orders, licenses, and authorizations issued by staff. These applications reflect requests for authorization made by the regulated community in response to changing business needs, which can include, but is not limited to, submitting renewal applications early, revising waste disposal units, or additional licenses. The number of applications submitted by the regulated community can fluctuate year to year. Performance is attributed to an increase in the number of applications received by the agency.

Reported by: OOW WP

1.2.3 EX 3 Number of corrective actions implemented by responsible parties for solid waste sites

Table 51: measure 1.2.3 ex 3 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	3	1	33.33%

Variance Explanation

Performance is below the target for the number of corrective actions implemented by responsible parties for solid waste sites for FY 2021. This measure quantifies the number of corrective actions implemented by responsible parties for municipal solid waste sites. Corrective action plans are required of the regulated community based on landfill gas or groundwater exceedances and are difficult to anticipate and project. Fewer corrective actions are a positive environmental indicator of a facility's compliance with agency regulations.

Reported by: OOW WP

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FY 2021

Strategy 1.2.4: Occupational Licensing

1.2.4 OP 1 Number of applications for occupational licensing

Table 52: measure 1.2.4 op 1 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	5,500	6,126	101.25%
Second	5,500	5,652	114.13%
Third	5,500	7,080	82.38%
Fourth	5,500	6,040	107.80%
Year-to-date	22,000	24,898	113.17%

Variance Explanation

Performance for the number of applications processed exceeds the target for FY 2021. This measure reports the number of new and renewed occupational license applications processed by the agency. Applications for occupational licensing are an on-demand activity. Performance is due to a greater number of applications that were submitted to the agency this fiscal year.

Reported by: OOW PR

1.2.4 OP 2 Number of examinations processed (key)

Table 53: measure 1.2.4 op 2 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	2,800	3,362	120.07%
Second	2,800	2,710	96.79%
Third	2,800	3,736	133.43%
Fourth	2,800	3,959	141.39%
Year-to-date	11,200	13,767	122.92%

Variance Explanation

Performance for the number of examinations processed exceeds the target for FY 2021. This measure indicates the number of exams administered to applicants who are potential licensees. Examinations are on-demand activities and are based on the number of applications submitted and the number of re-tests. This number can vary widely from quarter to quarter. Performance is due to a greater number of examinations that were submitted to the agency this fiscal year.

Reported by: OOW PR

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1.2.4 OP 3 Number of licenses and registrations issued

Table 54: measure 1.2.4 op 3 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	4,750	5,246	110.44%
Second	4,750	4,358	91.75%
Third	4,750	5,679	119.56%
Fourth	4,750	4,907	103.31%
Year-to-date	19,000	20,190	106.26%

Variance Explanation

Performance for the number of licenses and registrations issued exceeds the target for FY 2021. This measure indicates the number of licenses and registrations issued to applicants. This measure reports the total number of new and renewed occupational licenses processed by the TCEQ. This number can vary widely from quarter to quarter. Performance is due to a greater number of licenses and registrations were applied for and issued by the agency this fiscal year.

Reported by: OOW PR

1.2.4 EX 1 Number of TCEQ licensed environmental professionals and registered companies

Table 55: measure 1.2.4 ex 1 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	55,500	55,653	100.28%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OOW PR

1.2.4 EX 2 Average cost per license and registration

Table 56: measure 1.2.4 ex 2 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	\$19	\$22	115.79%

Variance Explanation

Performance for the average annualized cost per license exceeds the target for FY 2021. This measure reflects the average annualized cost for the licensing program per number of active licenses and registrations maintained by the TCEQ. Performance is dependent on the number of licenses and registrations that were processed and issued by the agency this fiscal year.

Reported by: OOW PR

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FY 2021

Strategy 1.3.1: Radioactive Materials Management

1.3.1 OP 1 Number of radiological monitoring and verification of air, water, soil/sediment, and flora samples collected

Table 57: measure 1.3.1 op 1 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	25	25	100%
Second	25	25	100%
Third	25	54	216%
Fourth	25	19	76%
Year-to-date	100	123	123%

Variance Explanation

Performance for the number of radiological monitoring and verification samples exceeds the target for FY 2021. This measure represents the number of samples performed for events such as site closures, spills or accidents, regular monitoring, and base line sampling. The number of samples collected each quarter depends on the stage of a site and is not evenly distributed throughout the fiscal year. Performance is due to annual sample monitoring conducted at the Low-level Radioactive Waste facility in Andrews County at higher than targeted sample counts in the third quarter, and unplanned Critical Infrastructure Division (CID) sampling at two sites during the first and second quarters.

Reported by: OOW RM

1.3.1 EX 1 Amount of revenue deposited to the General Revenue Fund generated from the 5 percent gross receipts fee on the disposal of low-level radioactive waste and other radioactive substances

Table 58: measure 1.3.1 ex 1 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	\$0	\$1,041,624	n/a

Variance Explanation

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

Reported by: OOW RM

Annual Performance Measure Report

FY 2021

1.3.1 EX 2 Volume of low-level radioactive waste accepted by the State of Texas for disposal at the Texas Compact Waste Facility (key)

Table 59: measure 1.3.1 ex 2 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	184,750	26,532	14.36%

Variance Explanation

Performance is below the target for the volume of low-level radioactive waste accepted by the State of Texas for disposal at the Texas Compact Waste Facility for FY 2021. Lower performance is desired and favorable. This measure represents the volume of low-level radioactive waste permanently disposed of in the Texas Compact Waste Facility. Estimating disposal volume is difficult due to the wide range of types of generators as well as the generators' ability to store waste as radioactive materials. The volume of waste accepted by the facility is not expected to be evenly distributed across fiscal years.

Reported by: OOW RM

Goal 2: Drinking Water

Objective 2.1: Increase the Number of Texans Served by Safe Drinking Water Systems

2.1 OC 1 Percent of Texas population served by public water systems that meet drinking water standards (key)

Table 60: measure 2.1 oc 1 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	93%	99.11%	106.57%

Variance Explanation

Performance for the percent of Texans served by public water systems that meet drinking water standards exceeds the target for FY 2021. This measure reports the percentage of the state's population served by all public water systems which have not had maximum contaminant level violations, treatment technique violations or action level exceedances. Over the last year, fewer public water systems had maximum contaminant level violations or treatment technique violations which caused the percentage of the population being served by public water systems in compliance with drinking water standards to increase.

Reported by: OW WS

Annual Performance Measure Report

FY 2021

Strategy 2.1.1: Safe Drinking Water Oversight

2.1.1 OP 1 Number of public drinking water systems that meet primary drinking water standards (key)

Table 61: measure 2.1.1 op 1 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	6,635	6,816	102.72%
Second	6,635	6,826	102.88%
Third	6,635	6,822	102.82%
Fourth	6,635	6,846	103.18%
Year-to-date	6,635	6,846	103.18%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OW WS

2.1.1 OP 2 Number of drinking water samples collected (key)

Table 62: measure 2.1.1 op 2 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	14,420	15,986	110.86%
Second	14,420	13,414	93.02%
Third	14,420	14,282	99.04%
Fourth	14,420	16,519	114.56%
Year-to-date	57,680	60,201	104.37%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OW WS and OCE FO

2.1.1 OP 3 Number of district applications processed

Table 63: measure 2.1.1 op 3 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	137.5	123	89.45%
Second	137.5	115	83.64%
Third	137.5	137	99.64%
Fourth	137.5	199	144.73%
Year-to-date	550	574	104.36%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OW WS

Annual Performance Measure Report

FY 2021

Goal 3: Enforcement and Compliance Assistance

Objective 3.1: Increase Compliance and Response to Citizen Inquiries

3.1 OC 1 Percent of investigated air sites in compliance (key)

Table 64: measure 3.1 oc 1 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	98%	93.56%	95.47%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OCE EN

3.1 OC 3 Percent of investigated waste sites in compliance (key)

Table 66: measure 3.1 oc 3 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	97%	97.22%	100.23%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OCE EN

3.1 OC 2 Percent of investigated water sites and facilities in compliance (key)

Table 65: measure 3.1 oc 2 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	97%	99.21%	102.28%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OCE EN

Annual Performance Measure Report

FY 2021

3.1 OC 4 Percent of identified noncompliant sites and facilities for which timely and appropriate enforcement action is taken (key)

Table 67: measure 3.1 oc 4 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	85%	77.4%	91.06%

Variance Explanation

Performance for the percent of identified noncompliant sites and facilities for which timely and appropriate enforcement action is taken is below the target for FY 2021. This measure represents the timeliness of enforcement actions by the agency from initiation to completion. Performance is due to delays in the development, completion of settlement, and post-settlement phases of enforcement cases.

Reported by: OCE EN

3.1 OC 5 Percent of investigated occupational licensees in compliance

Table 68: measure 3.1 oc 5 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	75%	81.48%	108.64%

Variance Explanation

Performance for the percent of investigated occupational licensees in compliance exceeds the target for FY 2021. This measure represents the percent of investigated licensees who have no significant violations. The TCEQ investigations identified a higher compliance rate.

Reported by: OCE EN

3.1 OC 6 Percent of administrative orders settled

Table 69: measure 3.1 oc 6 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	80%	86%	107.50%

Variance Explanation

Performance for the percent of administrative orders settled exceeds the target for FY 2021. This measure reflects the annual percent of the enforcement orders issued that were settled through the expedited process. A higher settlement rate is desired for this measure. The high settlement rate for water and public water supply cases contributed to the overall increase in the settlement percentage.

Reported by: OCE EN

Annual Performance Measure Report

FY 2021

3.1 OC 7 Percent of administrative penalties collected (key)

Table 70: measure 3.1 oc 7 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	82%	86.25%	105.18%

Variance Explanation

Performance for the percent of administrative penalties collected exceeds the target for FY 2021. This measure reflects the success of administrative penalty collection efforts by the agency. Increased collection rates for air violations contributed to exceeding the target this fiscal year.

Reported by: OCE EN

Strategy 3.1.1: Field Inspections and Complaint Response

3.1.1 OP 1 Number of investigations of air sites (key)

Table 71: measure 3.1.1 op 1 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	2,794.25	1,869	66.89%
Second	2,794.25	2,341	83.78%
Third	2,794.25	2,076	74.30%
Fourth	2,794.25	4,057	145.19%
Year-to-date	11,177	10,343	92.54%

Variance Explanation

Performance is below the target for the number of investigations of air sites for FY 2021. This measure reflects investigations of regulated air sites to determine compliance with rules, regulations and statutes designed to protect human health and the environment. Staff turnover and delays in being able to hire and train new staff have contributed to lower performance.

Reported by: OCE FO

Annual Performance Measure Report

FY 2021

3.1.1 OP 2 Number of inspections and investigations of water rights sites (key)

Table 72: measure 3.1.1 op 2 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	9,650	10,684	110.72%
Second	9,650	9,317	96.55%
Third	9,650	9,582	99.28%
Fourth	9,650	8,804	91.23%
Year-to-date	38,600	38,387	99.45%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OW WA

3.1.1 OP 3 Number of investigations of water sites and facilities (key)

Table 73: measure 3.1.1 op 3 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	3,286	2,843	86.52%
Second	3,286	2,757	83.90%
Third	3,286	3,101	94.37%
Fourth	3,286	5,297	161.20%
Year-to-date	13,144	13,998	106.50%

Variance Explanation

Performance is above the target for the number of investigations of water sites for FY 2021. This measure reflects investigations of regulated water sites to determine compliance with rules, regulations and statutes designed to protect human health and the environment. Due to COVID-19 pandemic restrictions, investigators conducted more off-site and virtual investigations. Many of these investigations were conducted under protocols approved by the Environmental Protection Agency. This allowed investigators to conduct more investigations with the same resources.

Reported by: OCE FO

Annual Performance Measure Report

FY 2021

3.1.1 OP 4 Number of investigations of waste sites

Table 74: measure 3.1.1 op 4 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	2,550	2,434	95.45%
Second	2,550	2,396	93.96%
Third	2,550	2,844	111.53%
Fourth	2,550	4,912	192.63%
Year-to-date	10,200	12,586	123.39%

Variance Explanation

Performance is above the target for the number of investigations of waste sites for FY 2021. This measure reflects investigations of regulated waste sites to determine compliance with rules, regulations and statutes designed to protect human health and the environment. Due to COVID-19 pandemic restrictions, investigators conducted more off-site and virtual investigations. Many of these investigations were conducted under protocols approved by the Environmental Protection Agency. This allowed investigators to conduct more investigation with the same resources.

Reported by: OCE FO

3.1.1 EF 1 Average days from air, water, or waste investigation to report completion

Table 75: measure 3.1.1 ef 1 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	35	33	94.29%
Second	35	34	97.14%
Third	35	35	100.00%
Fourth	35	34	97.14%
Year-to-date	35	35	100.00%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OCE FO

Annual Performance Measure Report

FY 2021

3.1.1 EX 1 Number of citizen complaints investigated

Table 76: measure 3.1.1 ex 1 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	4,500	4,676	103.91%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OCE FO

3.1.1 EX 3 Number of spill cleanup investigations

Table 78: measure 3.1.1 ex 3 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	1,200	1,233	102.75%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OCE FO

3.1.1 EX 2 Number of emission events investigations

Table 77: measure 3.1.1 ex 2 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	5,000	6,837	136.74%

Variance Explanation

Performance exceeds the target for the number of emission events investigations for FY 2021. This measure represents investigations conducted to assure compliance with rules, regulations, and statutes designed to protect human health and the environment. This measure also includes any upset event or unscheduled maintenance, startup, or shutdown activity, from a common cause, that results in unauthorized emissions of air contaminants. Agency resources were utilized to eliminate a backlog of emission event investigations which contributed to increased performance.

Reported by: OCE FO

Annual Performance Measure Report

FY 2021

Strategy 3.1.2: Enforcement and Compliance Support

3.1.2 OP 1 Number of environmental laboratories accredited (key)

3.1.2 OP 2 Number of small businesses and local governments assisted (key)

Table 79: measure 3.1.2 op 1 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	265	255	96.23%
Second	265	251	94.72%
Third	265	250	94.34%
Fourth	265	251	94.72%
Year-to-date	265	251	94.72%

Table 80: measure 3.1.2 op 2 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	16,500	5,097	30.89%
Second	16,500	1,556	9.43%
Third	16,500	3,366	20.40%
Fourth	16,500	120,808	732.17%
Year-to-date	66,000	130,827	198.22%

Variance Explanation

Performance is below the target for the number of environmental laboratories accredited. There has been an increasing trend in the consolidation of small laboratories with large laboratories resulting in redundant capabilities and as a result, the overall number of accredited laboratories has decreased. Additionally, this is a voluntary program, and laboratories apply and withdraw from accreditation according to their business needs. Reported by: OCE MD

Variance Explanation

Performance for the number of small businesses and local governments assisted exceeds the target for FY 2021. This measure provides an indication of the number of notifications provided to Texas small businesses and local governments to keep them informed of regulatory changes that might affect them. Performance is above expectations due to outreach projects that primarily used GovDelivery emails that were sent throughout the year. These numbers are only included in the 4th quarter to avoid duplicates as the same entity may receive multiple GovDelivery emails on different topics throughout the year.

Reported by: OCE EA

Annual Performance Measure Report

FY 2021

3.1.2 EF 1 Average number of days to file an initial settlement offer

Table 81: measure 3.1.2 ef 1 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	70	129	184.29%
Second	70	112	160.00%
Third	70	121	172.86%
Fourth	70	107	152.86%
Year-to-date	70	107	152.86%

Variance Explanation

Performance exceeds the target for the average number of days to file an initial settlement offer for the fourth quarter of FY 2021. Lower performance is desired and favorable. This measure reflects the efficiency of the agency in filing initial settlement offers which include alleged violations and penalties sought by the agency. The data 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. Performance is due to delays in the development of enforcement cases.

Reported by: OCE EN

3.1.2 EX 1 Amount of administrative penalties paid in final orders issued

Table 82: measure 3.1.2 ex 1 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	0	\$7,511,772	n/a

Variance Explanation

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

Reported by: OCE EN

3.1.2 EX 2 Amount required to be paid for supplemental environmental projects issued in final administrative orders

Table 83: measure 3.1.2 ex 2 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	0	\$2,383,549	n/a

Variance Explanation

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

Reported by: OCE EN

Annual Performance Measure Report

FY 2021

3.1.2 EX 3 Number of administrative enforcement orders issued

Table 84: measure 3.1.2 ex 3 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	1,000	1,006	100.60%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OCE EN

Strategy 3.1.3: Pollution Prevention, Recycling, and Innovative Programs

3.1.3 OP 1 Number of presentations, booths, and workshops conducted on pollution prevention/waste minimization and voluntary program participation (key)

Table 85: measure 3.1.3 op 1 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	31.25	30	96.00%
Second	31.25	3	9.60%
Third	31.25	15	48.00%
Fourth	31.25	9	28.80%
Year-to-date	125	57	45.60%

Variance Explanation

Performance is below the target for the number of presentations, booths, and workshops conducted in FY 2021. This measure is an indication of outreach and information dissemination of pollution prevention and voluntary program information to Texas businesses and organizations. Event opportunities continued to be hindered by conditions surrounding the COVID-19 pandemic which has resulted in nearly complete shutdown of seminars, workshops, and public outreach opportunities. Virtual outreach events, and other non-traditional means of communicating with the public, are being utilized as available. As opportunities continue to open up, the agency anticipates additional outreach in FY 2022.

Reported by: OED ER

Annual Performance Measure Report

FY 2021

3.1.3 OP 2 Number of quarts of used oil diverted from improper disposal

Table 86: measure 3.1.3 op 2 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	13.75	1	7.27%
Second	13.75	47	341.82%
Third	13.75	10	72.73%
Fourth	13.75	18	130.91%
Year-to-date	55	76	138.18%

Variance Explanation

Performance for the number of quarts of used oil (in millions) diverted from improper disposal exceeds the target for FY 2021. This measure reports the amount of used oil diverted, via registered collection centers, from landfills and then processed. The used oil program expects a majority of the performance target of used oil collected and diverted from landfills to be met in the second and third quarters of the fiscal year due to the reporting deadline of January 25th. The amount reported in the fourth quarter reporting represent data that was submitted in the second quarter, but was processed at a later date. The actual number diverted may vary from year to year due to failure to meet reporting requirements or changes in vehicle maintenance practices.

Reported by: OOW PR

3.1.3 EX 1 Tons of hazardous waste reduced as a result of pollution prevention planning

Table 87: measure 3.1.3 ex 1 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	500,000	110,896	22.18%

Variance Explanation

Performance for the tonnage of hazardous waste reduced as a result of pollution prevention planning is below the target for FY 2021. This measure is reported annually and provides information to the TCEQ on source reductions that are independent of economic factors such as production. This number is very volatile since reductions in hazardous waste are strongly dependent on a few large reporters. Additionally, projects can take years to implement and yield reductions.

Reported by: OED ER

Annual Performance Measure Report

FY 2021

3.1.3 EX 2 Tons of waste collected by local and regional household hazardous waste collection programs

Table 88: measure 3.1.3 ex 2 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	8,500	7,037	82.79%

Variance Explanation

Performance for the tonnage of waste collected by local and regional household hazardous waste collection programs is below target for FY 2021. This measure is reported annually and provides information to the TCEQ on the amount of household hazardous waste and other waste was collected and properly disposed of through local programs, thus reducing the impact on the environment. While a number of collection events were cancelled due to COVID-19 pandemic conditions, interest in this program and in cleanup and collection events is generally high and is expected to rebound.

Reported by: OED ER

3.1.3 EX 3 Number of registered waste tire facilities and transporters

Table 89: measure 3.1.3 ex 3 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	600	594	99%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OOW WP

Annual Performance Measure Report

FY 2021

Goal 4: Pollution Cleanup

Objective 4.1: Contaminated Site Cleanup

4.1 OC 1 Percent of leaking petroleum storage tank sites cleaned up (key)

Table 90: measure 4.1 oc 1 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	94%	96%	102.13%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OOW REM

4.1 OC 2 Number of Superfund remedial actions completed (key)

Table 91: measure 4.1 oc 2 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	130	127	97.69%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OOW REM

4.1 OC 3 Percent of voluntary and brownfield cleanup properties made available for redevelopment, community, or other economic reuse (key)

Table 92: measure 4.1 oc 3 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	70%	87%	124.29%

Variance Explanation

Performance exceeds the target for the percent of voluntary and brownfields cleanups made available for redevelopment, community, or other economic uses in FY 2021. This performance measure reflects the program's efforts to clean up sites relative to the number of applications accepted into the program. Performance exceeds the target due to the timely submittal by applicants of technical documents that met closure requirements.

Reported by: OOW REM

Annual Performance Measure Report

FY 2021

4.1 OC 4 Percent of industrial solid and municipal hazardous waste facilities cleaned up

Table 93: measure 4.1 oc 4 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	64%	79%	123.44%

Variance Explanation

Performance exceeds the target for the percentage of industrial and solid and municipal hazardous waste facilities cleaned up in FY 2021. This performance measure indicates the number of sites that have completed necessary response actions to either remove or control contamination levels relative to the number of sites entering the program. Performance exceeds the target due to the submission of more technical documents that met closure requirements than anticipated.

Reported by: OOW REM

Strategy 4.1.1: Storage Tank Administration and Cleanup

4.1.1 OP 1 Number of petroleum storage tank self-certifications processed

Table 94: measure 4.1.1 op 1 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	4,125	4,183	101.41%
Second	4,125	4,577	110.96%
Third	4,125	3,932	95.32%
Fourth	4,125	4,031	97.72%
Year-to-date	16,500	16,723	101.35%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OOW PR

Annual Performance Measure Report

FY 2021

4.1.1 OP 2 Number of emergency response actions at petroleum storage tank sites

Table 95: measure 4.1.1 op 2 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	1	0	0%
Second	1	1	100%
Third	1	1	100%
Fourth	1	0	0%
Year-to-date	4	2	50%

Variance Explanation

Performance is below the target for the number of emergency response actions completed in FY 2021. This performance measure represents the number of LPST sites to which a state lead contractor is dispatched to address an immediate threat to human health or safety. Emergency response actions are conducted by the program on an as-needed basis. Lower performance is desired and favorable.

Reported by: OOW REM

4.1.1 OP 3 Number of petroleum storage tank cleanups completed (key)

Table 96: measure 4.1.1 op 3 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	50	58	116%
Second	50	52	104%
Third	50	61	122%
Fourth	50	59	118%
Year-to-date	200	230	115%

Variance Explanation

Performance exceeds the target for the number of petroleum storage tank cleanups completed in FY 2021. This performance measure reflects program efforts to clean up leaking petroleum storage tank sites. Most cleanups are finalized after responsible parties complete all field work and formally request closure review. Performance exceeds the target because more requests for closure were received and completed during the fiscal year.

Reported by: OOW REM

Annual Performance Measure Report

FY 2021

4.1.1 EF 1 Average days to authorize a state lead contractor to perform corrective action activities

Table 97: measure 4.1.1 ef 1 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	60	31	51.67%
Second	60	32	53.33%
Third	60	28	46.67%
Fourth	60	24	40.00%
Year-to-date	60	29	48.33%

Variance Explanation

Performance is below the target for the average days to authorize a state lead contractor to perform corrective action activities for FY 2021. This performance measure represents the average number of days to process leaking petroleum storage tank (LPST) state lead work order proposals and is an indication of the agency's efforts to clean up LPST sites. Performance reflects the division's efficiency in processing work order proposals within 60 days or less. Lower performance is desired and favorable.

Reported by: OOW REM

Strategy 4.1.2: Hazardous Materials Cleanup

4.1.2 OP 1 Number of immediate response actions completed to protect human health and environment

Table 98: measure 4.1.2 op 1 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	0.5	1	200.00%
Second	0.5	0	0.00%
Third	0.5	1	200.00%
Fourth	0.5	0	0.00%
Year-to-date	2	2	100.00%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OOW REM

4.1.2 OP 2 Number of Superfund site assessments

Table 99: measure 4.1.2 op 2 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	15.5	16	103.23%
Second	15.5	15	96.77%
Third	15.5	15	96.77%
Fourth	15.5	15	96.77%
Year-to-date	62	61	98.39%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OOW REM

Annual Performance Measure Report

FY 2021

4.1.2 OP 3 Number of voluntary and brownfield cleanups completed (key)

Table 100: measure 4.1.2 op 3 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	15.25	25	163.93%
Second	15.25	9	59.02%
Third	15.25	24	157.38%
Fourth	15.25	19	124.59%
Year-to-date	61	77	126.23%

Variance Explanation

Performance exceeds the target for the number of voluntary and brownfields cleanups completed in FY 2021. This performance measure indicates the number of sites that have completed necessary response actions to either remove or control contamination levels at voluntary cleanup and brownfields sites. Performance exceeds the target due to the timely submittal by applicants of technical documents that met closure requirements. Reported by: OOW REM

4.1.2 OP 4 Number of Superfund sites in Texas undergoing evaluation and cleanup (key)

Table 101: measure 4.1.2 op 4 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	42	41	97.62%
Second	42	40	95.24%
Third	42	40	95.24%
Fourth	42	41	97.62%
Year-to-date	42	41	97.62%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OOW REM

Annual Performance Measure Report

FY 2021

4.1.2 OP 5 Number of Superfund remedial actions completed (key)

Table 102: measure 4.1.2 op 5 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	0.5	0	0%
Second	0.5	1	200%
Third	0.5	0	0%
Fourth	0.5	0	0%
Year-to-date	2	1	50%

Variance Explanation

Performance is below the target for the number of Superfund remedial actions completed in FY 2021. This measure reflects the number of state and federal Superfund sites that no longer pose an unacceptable risk to human health or the environment due to completed remedial actions. Completed Superfund remedial actions are not uniformly distributed over each reporting quarter. One remedial action was completed in the second quarter. The planned completion of a remedial action at another state Superfund site was delayed at the request of some of the responsible parties, who have expressed interest in forming a group to fund and perform the remedial action. That remedial action is now anticipated to be completed in FY 2022.

Reported by: OOW REM

4.1.2 OP 6 Number of dry cleaner remediation program (DCRP) site assessments initiated

Table 103: measure 4.1.2 op 6 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	3	4	133.33%
Second	3	3	100.00%
Third	3	5	166.67%
Fourth	3	2	66.67%
Year-to-date	12	14	116.67%

Variance Explanation

Performance exceeds the target for the number of dry cleaner remediation program (DCRP) site assessments initiated in FY 2021. This performance measure indicates the number of work orders issued to initiate DCRP site cleanups. Site assessments are initiated only after the DCRP application is received, ranked, prioritized, and evaluated for corrective action. Performance exceeds the target because more DCRP applications were received than expected during FY 2021.

Reported by: OOW REM

Annual Performance Measure Report

FY 2021

4.1.2 OP 7 Number of dry cleaner remediation program site cleanups completed (key)

Table 104: measure 4.1.2 op 7 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	0.5	1	200%
Second	0.5	2	400%
Third	0.5	2	200%
Fourth	0.5	3	600%
Year-to-date	2	8	400%

Variance Explanation

Performance exceeds the target for the number of dry cleaner remediation program (DCRP) site cleanups completed in FY 2021. This performance measure reflects the agency's effort to cleanup known eligible DCRP sites contaminated by dry cleaner solvents. Performance exceeds expectations because more DCRP sites met TCEQ regulatory closure standards than expected this fiscal year.

Reported by: OOW REM

4.1.2 EF 1 Average days to process dry cleaner remediation program applications

Table 105: measure 4.1.2 ef 1 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	90	69	76.67%
Second	90	50	55.56%
Third	90	49	54.44%
Fourth	90	n/a	n/a
Year-to-date	90	56	62.22%

Variance Explanation

Performance is below the target for the average days to process dry cleaner remediation program (DCRP) applications in FY 2021. This performance measure reflects the average number of days to process DCRP applications. This lower performance reflects the TCEQ's efficiency in their review time of DCRP applications by completing the reviews within the legislatively mandated 90-day timeframe. Lower performance is desired and favorable. No applications were received during the fourth quarter of 2021.

Reported by: OOW REM

Annual Performance Measure Report

FY 2021

4.1.2 EX 1 Number of state and federal Superfund sites in post-closure care (O&M) phase (key)

Table 106: measure 4.1.2 ex 1 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	41	38	92.68%

Variance Explanation

Performance is below the target for the number of state and federal sites in post-closure care in FY 2021. This measure represents the number of Superfund sites that require state funding for continued operation and maintenance, including treatment systems, on-site waste containment, long-term groundwater monitoring, and maintenance of institutional controls or site security.

Performance is below the target due to fewer sites moving into the post-closure care phase than anticipated during FY 2021.

Reported by: OOW REM

4.1.2 EX 2 Number of dry cleaner remediation program (DCRP) eligible sites

Table 107: measure 4.1.2 ex 2 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	319	330	103.45%

Variance Explanation

Year-to-date performance meets target.

Reported by: OOW REM

Goal 5: Ensure Delivery of Texas' Equitable Share of Water

Objective 5.1: Ensure Delivery of 100 Percent of Texas' Equitable Share of Water

5.1 OC 1 Percentage received of Texas' equitable share of quality water annually as apportioned by the Canadian River Compact

Table 108: measure 5.1 oc 1 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	100%	254%	254%

Variance Explanation

Performance for the percent of quality water received exceeds the target for 2021. This measure reports the extent to which Texas receives its share of water from New Mexico as apportioned by the Canadian River Compact. The acre feet of quality water received by Texas from the Canadian River was greater than the target due to continued storage from flood events in the Canadian River watershed in 2019 and 2020. New Mexico is in compliance with the compact.

Reported by: OW WA

Annual Performance Measure Report

FY 2021

5.1 OC 2 Percentage received of Texas' equitable share of quality water annually as apportioned by the Pecos River Compact

Table 109: measure 5.1 oc 2 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	100%	430%	430%

Variance Explanation

Performance for the percent of quality water received exceeds the target for 2021. This measure reports the extent to which Texas receives its share of water as apportioned by the Pecos River Compact. The acre feet of quality water received by Texas from the Pecos River was higher than projected due to New Mexico's credits accumulated under the Compact and higher than normal flows in the watershed. New Mexico is in compliance with the compact.

Reported by: OW WA

5.1 OC 3 Percentage received of Texas' equitable share of quality water annually as apportioned by the Red River Compact

Table 110: measure 5.1 oc 3 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	100%	100%	100.00%

Variance Explanation

Year-to-date performance meets the target.

Reported by: OW WS

Annual Performance Measure Report

FY 2021

5.1 OC 4 Percentage received of Texas' equitable share of quality water annually as apportioned by the Rio Grande Compact

Table 111: measure 5.1 oc 4 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	100%	0%	0.00%

Variance Explanation

Performance for the percent received of Texas' equitable share of quality water annually as apportioned by the Rio Grande Compact is below the target for FY 2021. No activity [zero] is reported as the Rio Grande Compact Commission has been unable to agree on an accounting calculation of water deliveries and credit balances since 2011. New Mexico's views have resulted in less water available to Texas. The Rio Grande Compact Commission filed an Original Action (No. 141) with the U.S. Supreme Court to protect Texas' water supply. The case was accepted and a Special Master appointed. The Supreme Court has denied New Mexico's motion to dismiss Texas's complaint and denied the motions of Elephant Butte Irrigation District and El Paso County Water Improvement District No. 1 to intervene. On March 5, 2018, the Supreme Court ruled that the U.S. may pursue their Compact claims and denied all other exceptions. A new Special Master was also appointed. New Mexico filed a response to Texas' complaint, denying the allegations and filed nine counterclaims against TX and the U.S. All but two of New Mexico's counterclaims were dismissed on March 31, 2020. A mediator was appointed in 2020, and mediation is ongoing. Discovery progressed despite delays related to the COVID-19 pandemic. The Case Management Order issued by the Special Master on September 6,

2018, has been updated a number of times. The trial phase has been separated into a liability phase set to begin September 13, 2021, with a damages-phase to occur at a later time, if necessary. However in July 2021, Texas requested leave to amend their complaint against New Mexico to include ongoing violations of the Rio Grande Compact. The Special Master has directed Texas to file their supplemental motion directly with the Supreme Court. In August 2021, Texas requested a continuance of the trial for six months due to a family-related emergency affecting Texas' lead counsel. The trial is now scheduled to begin October 4, 2021, to be held remotely with fact witnesses this fall, followed by in-person expert testimony in spring of 2022.

Reported by: OW WS

Annual Performance Measure Report

FY 2021

5.1 OC 5 Percentage received of Texas’ equitable share of quality water annually as apportioned by the Sabine River Compact

Table 112: measure 5.1 oc 5 performance

Reported Annually	Target	Actual	Percent of Target Attained
Year-to-date	100%	109%	109%

Variance Explanation

Performance based on the percent of quality water received by Texas exceeds the target for 2021. This measure is based on water usage compared to the last five-year running average of water used. The acre feet of quality water diverted by Texas from the Sabine River in 2020 was greater than projected compared to the average amount of diversions during the last five years due to increased industrial diversions. Louisiana is in compliance with the compact.

Reported by: OW WA

Historically Underutilized Business Program

HUB OP 1 Percentage of professional service going to historically underutilized businesses

Table 113: measure HUB op 1 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	23.70%	8.22%	13.38%
Second	23.70%	10.41%	37.68%
Third	23.70%	8.40%	18.52%
Fourth	23.70%	12.76%	48.78%
Year-to-date	23.70%	10.22%	43.12%

Variance Explanation

Performance is below the target for the percent of professional services awarded to historically underutilized businesses for the fourth quarter of FY 2021. Professional services at TCEQ consist mostly of environmental engineering services, and utilization is derived predominately from direct contracts to HUB vendors. Expenditures are lower as TCEQ currently has only two HUB prime vendors. The agency continues to focus on outreach by including HUBs in both direct and indirect subcontracting for all procurement opportunities available at TCEQ.

Reported by: OAS FA

Annual Performance Measure Report

FY 2021

HUB OP 2 Percentage of other services awarded to historically underutilized businesses

Table 114: measure HUB op 2 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	26%	37.86%	145.62%
Second	26%	29.39%	113.04%
Third	26%	35.24%	135.54%
Fourth	26%	30.79%	118.42%
Year-to-date	26%	33.53%	128.96%

Variance Explanation

Performance exceeds the target for the percent of other services awarded to historically underutilized businesses for the fourth quarter of FY 2021. Performance is due to direct contracts to prime HUB contractors for information technology (IT), and remediation services. The agency met the goal for the fiscal year.

Reported by: OAS FA

HUB OP 3 Percentage of commodity purchasing awarded to historically underutilized businesses

Table 115: measure HUB op 3 performance

Reported Quarterly	Target	Actual	Percent of Target Attained
First	21.10%	38.93%	184.50%
Second	21.10%	47.51%	225.17%
Third	21.10%	22.76%	107.87%
Fourth	21.10%	29.00%	137.44%
Year-to-date	21.10%	38.38%	158.91%

Variance Explanation

Performance exceeds the target for the percent of commodities awarded to historically underutilized businesses for the fourth quarter of FY 2021. Purchases from active HUB vendors for computer equipment and software (\$21,065) as well as for furnishings and equipment (\$106,737) contributed to performance for the commodities procurement category. The agency met the goal for the fiscal year.

Reported by: OAS FA