



**C H I E F
AUDITOR'S
O F F I C E**

An Audit Report for:

TCEQ Chairman Bryan W. Shaw, Ph.D., P.E.

TCEQ Commissioner Toby Baker

TCEQ Commissioner Jon Niermann

TCEQ Interim Executive Director Stephanie Bergeron Perdue

Fiscal Year 2019 Annual Audit Plan

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Introduction

The Chief Auditor's Office appreciates the opportunity to provide our vision for audit activities at the Texas Commission on Environmental Quality (TCEQ) for Fiscal Year (FY) 2019.

This proposal is the result of a risk assessment process through which the Chief Auditor's Office conscientiously reviewed risks related to internal agency processes, agency expenditures and revenue, and agency information technology. This document presents our proposed audit services, information technology (IT), and advisory service project areas for FY 2019 and outlines our risk assessment methodology. We believe the areas identified for audit will result in the best return on the audit resource investment.

Purpose and Mission

This audit plan is required by the Texas Internal Auditing Act (Chapter 2102, Title 10, Govt. Code, Vernon's Texas Codes Annotated), Government Auditing Standards, and the International Professional Practices Framework promulgated by the Institute of Internal Auditors (IIA).

The Chief Auditor's Office provides assurance and advisory services that help the Commissioners and management meet agency goals and objectives. We provide independent and objective information, analyses, and recommendations to assist management in effecting constructive change, managing business risk, and/or improving compliance and accountability of the regulated community and business partners.

Audit Charter and Internal Auditing Definition

The Chief Auditor's Office Audit Charter (Charter), approved by the Commission in February 2016, clearly defines the multiple focus of the Chief Auditor's Office on audit services, information technology audit services, and advisory services. The Charter also defines our vision and philosophy, mission, scope of activities, responsibilities, authority, independence, professional standards, quality assurance processes, continuing professional development, and reporting relationships.

As defined in the Charter, internal auditing encompasses the examination and evaluation of the adequacy and effectiveness of the agency's system of internal control and the quality of performance in carrying out the goals and objectives of the agency. The Texas Internal Auditing Act adopts the IIA's definition of internal audit:

An independent, objective assurance and consulting activity designed to add value and improve an organization's operations. It helps an

organization accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes.

The Chief Auditor's Office has been able to contribute additional value to the agency by combining the efforts of our audit services and information technology audit teams. Many aspects of our Agency's programs and processes involve both components. In numerous instances, our office has audited combinations of these components simultaneously with great success. Our goal is to continue to utilize this approach and leverage our audit resources to ensure that we are maximizing the value we add to the agency.

For more background information on the Chief Auditor's Office, please see **Appendix A**.

Risk Assessment

Risk assessment, as defined by the IIA, is a *"systematic process for assessing and integrating professional judgments about probable adverse conditions and/or events."* The COSO¹ Internal Control – Integrated Framework² states, *"Risk assessment involves a dynamic and interactive process for identifying and assessing risks to the achievement of objectives."*

In conducting our risk assessment, the Chief Auditor's Office received input from TCEQ Commissioners, Executive Management, Deputy Directors, numerous Division Directors, Area Directors, and Section Managers. Selected agency program areas had the opportunity to provide input into our risk assessment through formal facilitated sessions.

The Chief Auditor's Office identified the universe of auditable activities primarily as those activities conducted to address the strategies funded by the General Appropriations Act, organizational units with IT functions, and specific IT systems.

We also identified auditable activities to include all fees collected and all contracts entered into by the agency. Each of the fees and contracts included in the assessment was evaluated using specific elements of risk related to that category. The high-risk fees and contracts identified were selected as areas for audit projects. These projects were then prioritized to

¹ The Committee of Sponsoring Organizations of the Treadway Commission (COSO) is an initiative of five organizations that provide frameworks and guidance on enterprise risk management, internal control and fraud deterrence. The organizations include: America Accounting Association, American Institute of Certified Public Accountants, Financial Executives International, The Association of Accountants and Financial Professionals in Business, and The Institute of Internal Auditors. (source: www.coso.org)

² COSO, *Internal Control – Integrated Framework – Executive Summary* (May 2013), 4.

determine which fees and contracts should be included in the proposed audit plan.

We then evaluated all identified activities within each category using specific elements of risk related to that category, including fraud risk as appropriate. From this evaluation, specific project topics were identified for each of the high-risk areas. Lastly, we prioritized each potential project to determine which projects should be included in the proposed audit plan.

We will update our risk assessment as additional information is obtained and expenditures occur throughout the coming fiscal year. Our continuous evaluation of contracts will ensure the most efficient use of audit resources.

The risk assessment process included review of the project areas by the Chief Auditor to ensure adequate coverage of risk and to avoid inappropriate duplication of coverage. The results of the process are presented in the following tables.

A listing of alternative projects was also developed, but is not included in this document. Alternative projects are additional areas that we believe could potentially benefit from the use of audit resources, but did not rise to the top of the list of potential audit areas. We seek approval to use these projects in circumstances where additional or substitute projects are required.

We will consult with the Commission and executive management to adjust the plan as needed based on priorities, management requests, workloads, changes in operations, and availability of audit resources. Through approval of this proposal, the Commission authorizes the Chairman to approve any amendments to the audit plan that become necessary.

Acceptable Level of Risk

We believe that completing the projects proposed below, or appropriate alternatives, will reasonably cover the risks identified by the risk assessment.

While the list of proposed projects results from our consideration of a wide-ranging scope of auditable activities, it does not address or provide coverage for all TCEQ components or systems. Our goal is to optimize our resources to provide reasonable coverage in the areas we believe require the most attention.

Due to a variety of factors, some significant activities that might warrant review may not be carried forward to the list of proposed audit projects, but they did receive consideration.

Ultimately, we cannot address every risk area. It is important for the Commission and executive management to understand the limitations of the

audit coverage and the attendant risks for areas not audited. In our opinion, this listing of proposed projects allocates audit resources to the most important priorities and significant risks of TCEQ and allows flexibility to address other risk areas that may become known during the fiscal year.

However, according to the Texas Internal Auditing Act, it is the governing board's responsibility to conclude whether resources are adequate to address the identified risks. Specifically, Senate Bill 1694 of the 78th legislative session amended the Texas Internal Auditing Act to require the governing board of a state agency to periodically review the resources dedicated to the audit program and determine if adequate resources exist to ensure that risks identified in the annual risk assessment are adequately covered within a reasonable time frame.

The Chief Auditor asserts that staff resources are adequate to address the high-risk areas linked to proposed audit projects. Any additional audit coverage would require additional staff resources.

Besides staff resources, the Chief Auditor's Office is provided with an operating budget to cover administrative costs. In the past, when additional resources have been requested for specific audit needs, those resources have generally been made available. The Chief Auditor is confident that if it becomes necessary to request additional resources that our request will be addressed in good faith.

Proposed Audit Projects for Fiscal Year 2019

Below are the proposed projects for Audit Services, Advisory Services, and Office-wide Projects to be conducted by the Chief Auditor's Office (CAO).

Proposed Audit Services Projects:

Area Administrative Review: Coastal and East Texas Area

Audits of Selected Performance Measures:

- Office of Air
- Office of Compliance and Enforcement
- Office of Waste
- Office of Water

An Audit of the TCEQ Contract Closeout Process

An Audit of the TCEQ Contract Procurement Process

Audits of Selected TCEQ Contracts

An Audit of the Water Regulatory Assessment Fee

Other CAO Office-wide Projects:

CAO Quarterly Reports

Client Assistance/Consulting

CAO Annual Internal Audit Report FY 2018

FY 2020 Annual Audit Plan

Special Requests from the Commissioners or Executive Director

Fraud, Waste, and Abuse Investigations

Contingency

While we will always work to address any appropriate special requests, we have specifically set aside resources for special requests from the Commission and/or the Executive Director.

Planning, Administrative & Other

A percentage of the total available audit hours are allocated to planning, administrative, and other special projects. These projects include advisory services, follow-up, and external auditor liaison duties.

Advisory Services

We plan to continue to have Chief Auditor's Office staff members participating ex-officio in agency committees and work groups as needed and directed by the Commission or requested by executive management. We provide advice and suggestions on management issues, concerns, and review draft policies and procedures upon request.

Follow-Up

Follow-up is an important part of our audit effort and is required by professional standards. The status of all recommendations is presented in Fall and Spring follow-up reports to the Commissioners and executive management. Follow-up reporting continues until all recommended actions and management action plans are implemented or the specific risk reported is otherwise mitigated or accepted.

External Auditor Liaison

The Chief Audit Executive serves as the liaison with the Texas State Auditor's Office (SAO), the Environmental Protection Agency's Office of the Inspector General (EPA-OIG), and other external audit groups having oversight responsibility for TCEQ activities. Audit staff will assist these external entities on their projects as appropriate. Our goal in the role of liaison is to provide assistance to the extent that professional and

organizational reporting responsibilities allow. The Chief Auditor's Office will conduct examinations in a manner that allows for maximum audit coordination and efficiency.

Management Controls

Management is responsible for establishing a system of internal/management controls adequate to reasonably assure that established objectives are accomplished. The COSO Internal Control – Integrated Framework states, *“Internal Control is a process, effected by an entity's board of directors, management, and other personnel, designed to provide reasonable assurance regarding the achievement of objectives...”*³ During FY 2019, the Chief Auditor's Office will continue to provide agency managers with information on internal control processes and procedures. We have used, to good response, a model developed by the University of Texas System Audit Office. The Levels of Internal Control Model contains the following control tiers:

- Level 1 Controls (Operating Controls)
- Level 2 Controls (Monitoring Controls)
- Level 3 Controls (Oversight Controls)
- Level 4 Controls (Internal Audit)

This model identifies the four levels of internal control and relates them to the three dimensions of transactions, time, and involvement in the process. The model and its application within TCEQ are shown in **Appendix B**.

Management controls are most effective when they are built into the organization's infrastructure and are a fundamental part of management's philosophy. Use of the model supports quality and empowerment initiatives, avoids unnecessary costs, and enables a quick response to changing conditions.

³ COSO, *Internal Control – Integrated Framework – Executive Summary* (May 2013), 3.

Closing

The Chief Auditor's Office wishes to thank the TCEQ's Commission, management, and staff for their involvement in the development of this proposal. We look forward to helping TCEQ meet its objectives during this upcoming fiscal year.

For further information on the Chief Auditor's Office or the FY 2019 Annual Audit Plan, please contact Chief Audit Executive Carlos Contreras at (512) 239-0780 or by email at carlos.contreras@tceq.texas.gov.

Project Team

Mike Hardison, CPA, CFE, CISA

Carlos Contreras, CIA, CISA, CGAP, CCSA, CICA, Chief Audit Executive

Appendix A

About the Chief Auditor's Office

Organization and Staffing

In FY 2018, the Chief Auditor's Office (CAO) was authorized 16 full-time equivalent positions: a Chief Audit Executive, three audit Work Leads, one Senior Investigator, one Executive Assistant, and ten auditors. Our FY 2019 Annual Audit Plan was developed based on the assumption that these staff resources would continue to be available for the remainder of the fiscal year.

CAO staff members collectively have 65 years of agency experience, 149 years of auditing experience, and 20 professional certifications including:

- Certified Internal Auditor (CIA)
- Certified Public Accountant (CPA)
- Certified Information Systems Auditor (CISA)
- Certified Fraud Examiner (CFE)
- Certified Government Auditing Professional (CGAP)
- Certification in Control Self-Assessment (CCSA)
- Certified Internal Controls Auditor (CICA)
- Chartered Financial Analyst (CFA)

Professional Organizations

CAO staff members actively participate in professional auditing and information systems organizations. These groups are excellent sources for obtaining information on auditing, accounting, and other professional issues:

- Institute of Internal Auditors (IIA)
- Information Systems Audit and Control Association (ISACA)
- Association of Certified Fraud Examiners (ACFE)
- Texas State Agency Internal Audit Forum (SAIAF)

Quality Assurance

Quality assurance is an important component in providing high quality auditing services. We conduct supervisory and quality assurance reviews of each project and the resulting audit report.

Additionally, professional standards require audit departments to have a periodic external quality assurance (peer) review. The Chief Auditor's Office

was reviewed starting in September 2017 and provided a final report in March 2018 receiving the rating of "Pass". Our next review will be completed during FY 2021.

Performance Measures

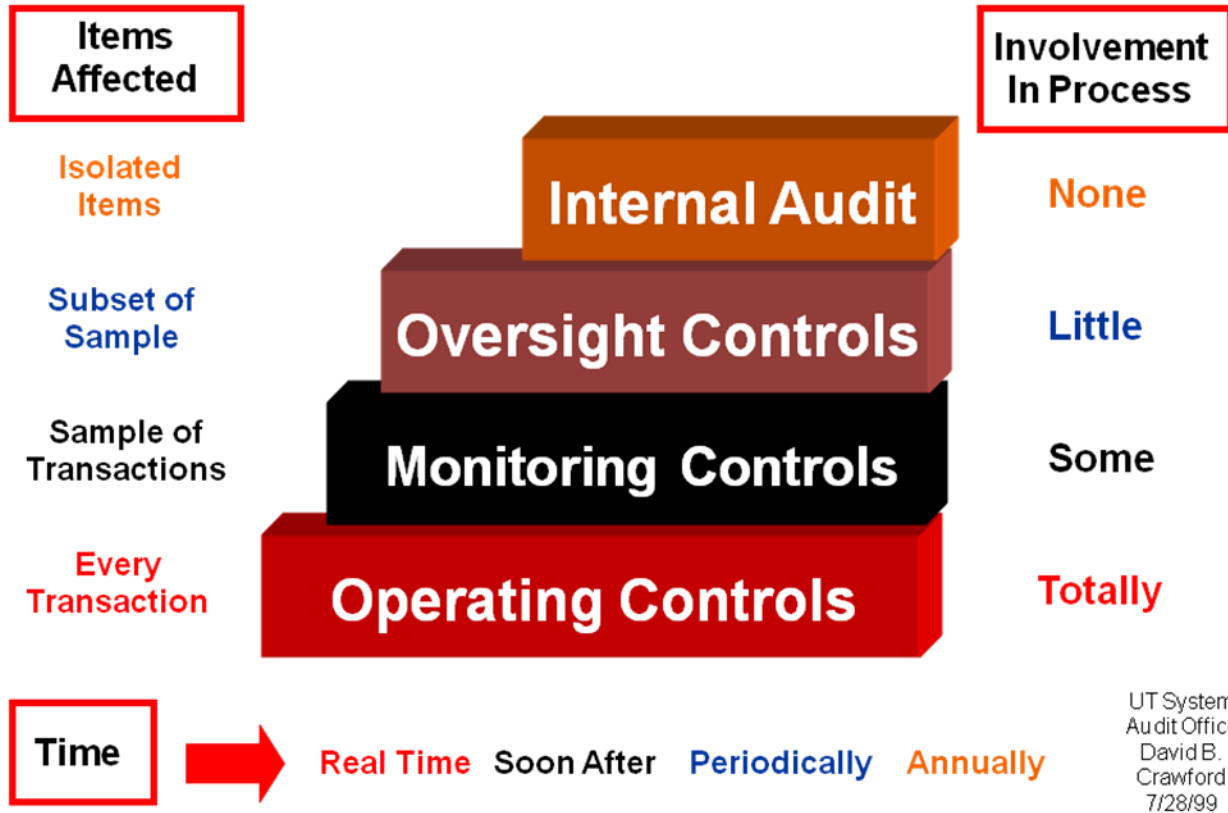
Chief Auditor's Office performance measures include the following:

- Completion of 100% of the approved audit plan, allowing for appropriate project substitutions and amendments.
- Percentage of prior audit recommendations that are in the process of being implemented or have been implemented. Combined performance target is 89%.
- For each project: Establishing and meeting realistic deadlines and budgeted hours to achieve audit objectives.

Appendix B

Model – Levels of Internal Control

Levels of Internal Control



TCEQ Mission Statement

The Texas Commission on Environmental Quality strives to protect our state's human and natural resources consistent with sustainable economic development. Our goal is clean air, clean water, and the safe management of waste.

Chief Auditor's Office Mission Statement

The mission of the Chief Auditor's Office is to provide assurance and advisory services that help the Commissioners and management meet agency goals and objectives. We provide independent and objective information, analyses, and recommendations to assist management in effecting constructive change, managing business risk and/or improving compliance and accountability of the regulated community and business partners.

**To obtain a hard copy of this TCEQ Audit Report,
please e-mail IntAudit@tceq.texas.gov or call 512-239-0500.**

**To report Fraud, Waste, or Abuse please e-mail Fraud@tceq.texas.gov
or call 512-239-0700 or 1-877-901-0700.**

Texas Commission on Environmental Quality

Fiscal Year 2019 Annual Audit Plan

PRESENTED FOR APPROVAL AT THE AUGUST 22, 2018
TCEQ COMMISSIONERS' AGENDA

Bryan W. Shaw, Ph. D., P.E.
Chairman

Stephanie Bergeron Perdue
Interim Executive Director

Toby Baker
Commissioner

Carlos Contreras, CIA, CISA, CGAP, CCSA, CICA
Chief Audit Executive

Jon Niermann
Commissioner