VII. GUIDE TO AGENCY PROGRAMS

Introduction

Since its establishment in 1993 as a consolidated state environmental agency addressing air, water and waste activities, the agency has strived to ensure that its organization is structured to provide the best opportunity to efficiently and effectively fulfill its mission.

Organizational Structure
Although the Texas Commission on Environmental Quality (TCEQ) is a relatively mature agency, it is also a dynamic institution, open to making adjustments in its organizational structure in response to changed priorities and identified efficiencies. The agency does not view its organizational structure as set in stone; rather it is aware of the need to continually fine-tune functions to improve services.

When first established, the agency was organized along the programs it regulates: air; water; and waste. In 1999 the agency moved from a programmatic organizational structure to a functional one based on permitting, planning, regulation, compliance and enforcement. The change was made with the expectation that this structure would provide greater uniformity in procedures and decision making, present cross-training opportunities for staff in the various programs, and align planning and permitting activities. Over time, consistency between the various permitting programs has been achieved and is now institutionalized.

Since the change to a functional organization, modifications have been made in response to the agency's experiences with the new structure and its ongoing effort to increase efficiencies, effectiveness and expertise. For instance, in some cases staff and managers have become "generalists" and not experts of a program, only experts on the process.

Based on the experience gained as the functional organizational structure has been put into place, management has observed the need to make changes that move its structure from being completely functional to one that incorporates elements of a programmatic organizational structure.

Below is a discussion of some of the most recent changes made in response to this observation.
- *The Water Quality Planning Division* has been created under the Chief Engineer's Office (CEO) to bring together several water quality planning and assessment programs to more efficiently facilitate the work of each program.
- *The Remediation Division* has moved from the Office of Permitting and Registration (OPR) to the Office of Compliance and Enforcement (OCE), to facilitate the interaction between the Remediation, Enforcement and Field Operations Divisions in cleaning up and resolving contaminated sites across the state.
- *The Operator Licensing Program* has moved from the OCE to the OPR to more logically align licensing and registration functions.
- *The Radioactive Materials Division* has moved to the Waste Permits Division in an effort to consolidate waste permitting activities.

- *The Monitoring Operations Division* has moved to Field Operations Support to unify monitoring, to enhance emergency response and to merge data collection and lab activities.
- *The Tax Relief for Pollution Control Property* (Proposition 2) has moved from the Small Business and Environmental Assistance Division to the CEO to utilize the technical expertise in that office.
- *The OCE* has instituted three Area Directors to oversee field operations across Texas. This realignment was accomplished to focus greater attention on unique areas of the state that have related sets of challenges.

These changes, as well as others to follow, are being implemented in recognition that while there were gains in moving from a programmatic centered organizational structure, there have also been some challenges. One of the most significant challenges has been the loss of staff with expertise in specific and significant issue areas.

Consideration is also being given to the following as the agency determines changes to its current organization structure:
- maximizing the availability of staff knowledgeable in certain priority program areas;
- making the agency more accessible to a public that understands environmental concerns in program-specific terms;
- coordinating with the Environmental Protection Agency (EPA) and other local government entities that are often aligned along program areas;
- ensuring that data, which is often collected by media, can be retrieved and utilized more effectively;
- providing enhanced representation for high profile issues within a particular media (air vs. water); and
- capitalizing on changes in the workforce and advanced information technologies.

Staff Re-alignment
As management continues to evaluate the efficiency of the agency's organizational structure, attention is also being given to re-locating certain programs from the central office, to the agency's regional offices. The agency's remediation program is a prime example of a program that would benefit from moving to the field.

These possible changes would be a long-term project and would not be done to simply reduce staff in the central office. Rather, it is based on the recognition that certain agency programs can be more effectively implemented in regional offices across the state. In addition, this movement to the field will allow for the regulator to be in closer physical proximity to those being regulated. With advancements in information technologies, efficient communication between central and regional staff can now be provided to ensure consistency in agency operations.

Recent Initiatives
The TCEQ has undertaken several initiatives in the past few years to improve agency performance: a comprehensive review of the agency's enforcement processes; a permit timeframe review aimed at streamlining permit processes; a move toward more access

through a variety of electronic reporting, information and comment processes; the development of a rapid response capability following natural and man-made disasters; the development of a network of statewide air and water monitoring stations that provide real time environmental data to aid compliance and improve planning; and a continuing effort to strengthen services provided through the agency's regional offices.

Many of these initiatives are described in Section XII, Agency Comments, of this report, which includes a discussion of major administrative innovations undertaken by the TCEQ to eliminate duplication in programs, increase operating efficiency and address agency performance.

A Note about Documents Included in Section VII
By necessity, any description of the agency, no matter how comprehensive, represents a "snapshot" of the TCEQ's history at a single moment in time. For purposes of this report it has been necessary to reflect as the agency was at the end of FY 08. This date was selected because it was a point at which a variety of data useful for the evaluation of the agency had been collected, quality assured, and reported. This data supports the narrative information on the accompanying 35 selected programs, which represent the agency's core activities.

Shorter narratives are also provided in Section VII to describe support functions of the agency and programs associated with the offices of the commissioners and executive director. Each program is described as it appeared on August 31, 2008; unless otherwise noted.

A Note about Performance Measures
The TCEQ reports a large number and variety of performance measures quarterly and annually to the Legislative Budget Board. Some measures are the result of combined totals reported from two or more programs. This report does not disaggregate this data among individual program profiles, but instead reports the totals via the program most closely associated with the appropriate performance measure. Key performance measures are reported in their aggregate form in Section II of this report.

A Note about Staffing Numbers
Some Full Time Equivalent (FTE) totals may vary as they are reported in different sections of this document. These variations may occur both between and within programs. Variations occur because of the realignment of some of the programs noted in this report during FY 08. Other variations may appear because several TCEQ programs make use of project teams that contribute all or part of their efforts to multiple programs and projects. Total FTE counts reported in Sections V and VI are based on the final figures for the 2008 fiscal year.