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# STRATEGIC PLAN

SFR-035A/00

FISCAL YEARS 2001-2005/VOLUME 1

THE UNIVERSITY OF TEXAS - PAN AMERICAN



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# STRATEGIC PLAN

*for Fiscal Years 2001-2005*

Submitted to the  
**Governor's Office of Budget and Planning  
and the Legislative Budget Board**

**June 2000**

A handwritten signature in black ink, appearing to read 'R. J. Huston', written over a horizontal line.

**Robert J. Huston**  
**Chairman**

Austin

Term Expires: August 31, 2003

A handwritten signature in black ink, appearing to read 'R. B. Marquez', written over a horizontal line.

**R.B. "Ralph" Marquez**  
**Commissioner**

Texas City

Term Expires: August 31, 2005

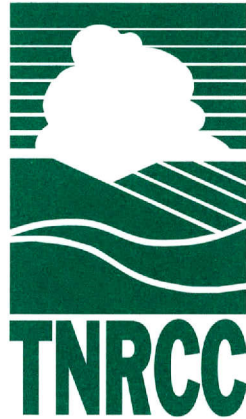
A handwritten signature in black ink, appearing to read 'John M. Baker Jr.', written over a horizontal line.

**John M. Baker**  
**Commissioner**

Temple

Term Expires: August 31, 2001





**Robert J. Huston**, *Chairman*  
**R. B. "Ralph" Marquez**, *Commissioner*  
**John M. Baker**, *Commissioner*

**Jeffrey A. Saitas**, *Executive Director*

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## WORDS WE USE

For a brief explanation of special terms used in Volumes I and II of the TNRCC Strategic Plan, see the glossary in Volume II.

In these volumes, the personal pronoun “we” refers either to the Texas Natural Resource Conservation Commission as a whole or to one of its subdivisions, depending on the context. When the pronoun “you” (either expressed or implied) appears in the text, it refers to the individual, company, or other type of organization covered by the regulations being discussed.







# COMMISSIONERS' STATEMENT

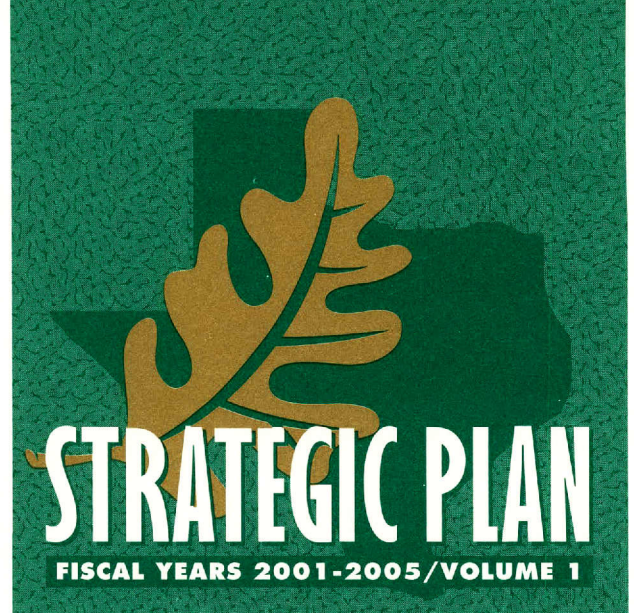
Seven years ago the TNRCC was created to consolidate most of the state's major environmental and resource protection programs into a single state agency, in order to achieve comprehensive natural resource conservation and protection service for all Texas.

## Benefits of Consolidation

Consolidation achieved several immediate positive benefits, including elimination of duplication of a number of administrative duties such as human resource, physical plant, and vehicle fleet operations. More importantly, it set the stage for establishing and effecting a coordinated program of resource management and protection, which recognizes the significant interrelationships that exist between air, water, and waste management.

To date, the TNRCC has achieved measurable results in reducing the release and transfers of toxic chemicals into the air, land, and water. The overwhelming majority of Texans now receive their drinking water from regulated systems that meet or exceed federal standards. The compliance rates of facilities inspected by the TNRCC have also improved in recent years, and most facilities have very high rates of compliance with state and federal environmental regulations. Where regulated entities are not in compliance, the TNRCC has taken aggressive enforcement action that required return to compliance and has earned millions of dollars in judgments and provided millions more for alternative community environmental projects.

Consolidation also set the stage for development of a Performance Partnership Agreement with the U.S. Environmental Protection Agency, which provides the TNRCC the latitude to allocate resources and set priorities based on the state's unique natural resource protection needs. This agreement was the culmination of a long period that saw the delegation



of almost all major federal environmental programs to Texas for local administration on the basis of the state's strict environmental laws and regulations.

The agency consolidation has also eliminated duplication of many natural resource protection programs at the state level through a conscientious effort by the TNRCC to develop memoranda of agreement and other cooperative relationships with local, regional, and state agencies with shared jurisdiction for natural resource protection.

Without a doubt, opportunities for improving the coordination of natural resource protection programs remain, as do the prospects for improving service delivery to the people of Texas.

## Continuing Management Reviews

The recognition by TNRCC commissioners and staff that work remains to be done has resulted in several major reviews of agency operations in recent years. Each of these projects made specific recommendations for improvements, and were followed with implementation plans with specific goals and objectives.

## The 1997 Business Process Review

For example, in 1997, the TNRCC undertook an extensive Business Process Review, that studied the agency's corporate culture and made specific recommendations for eliminating program overlaps and bridging gaps in compliance and enforcement by developing a more functional, multimedia program orientation.

On June 25, 1999, the commissioners completed the implementation of the Business Process Review recommendations by approving a restructuring of certain agency programs, with full implementation being achieved in October of 1999. The major changes included:

- abolition of the media-based offices of Air, Water, and Waste in order to establish a uniform and consistent permitting process in one office;
- establishment of a process/functionally organized Office of Permitting, Remediation, and Registration to facilitate efficiency and opportunities for reallocation of resources;
- appointment of a deputy director for the Office of Permitting, Remediation, and Registration to offer regulated entities and the public a single point of contact and direct access to agency permitting; and
- consolidation of all planning and assessment functions into the Office of Environmental Policy, Analysis, and Assessment to strengthen the agency knowledge base.

Finally, these organizational moves have allowed the agency to move additional staff resources to its 16 field offices as part of an overall effort to develop a strong regional presence around the state. This has created some opportunities for reducing the square footage of rented office space for the TNRCC's Austin headquarters.

## What Has Been Demonstrated

The Texas experience with natural resource protection has demonstrated that a single comprehensive natural resource and environmental protection agency can achieve economies of scale, reduce duplication and overlap of program delivery, and make progress towards closing the gaps in compliance and enforcement.

The TNRCC has demonstrated that an agency, organized along functional and multimedia lines, can make the most efficient use of its personnel, technical facilities, and physical plant.

This strategic plan provides a brief overview of the progress made to date toward achieving the goals, objectives, and strategies of the TNRCC.



# STATEWIDE VISION AND MISSION

## Vision

Together, we can make Texas a beacon state:

a state where our children receive an excellent education so they have the knowledge and skills for the 21st century;

a state where people feel safe in their communities, have access to equal justice, and all people know the consequences of committing a crime are swift and sure;

a state where our institutions encourage jobs and economic opportunity;

a state where each resident accepts responsibility for his or her behavior; and

a state where our people—our greatest resource—are free to achieve their highest potential.

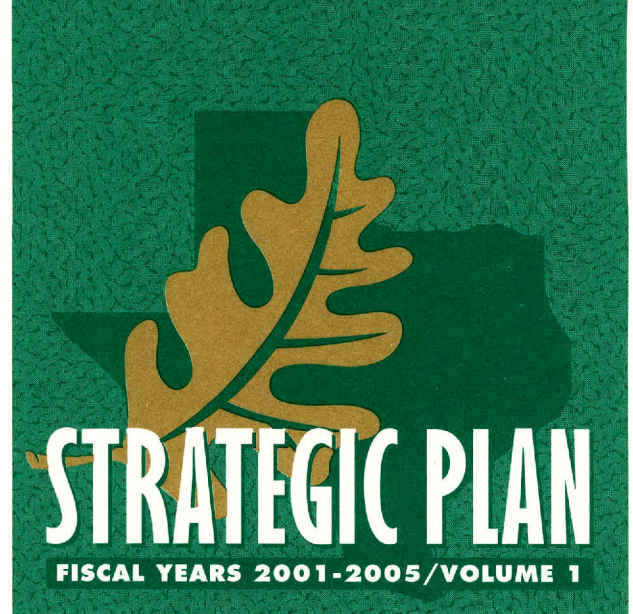
As I have said before, I envision a state where it continues to be true that what Texans can dream, Texans can do.

— *George W. Bush*  
*February 2000*

## Mission

The mission of Texas state government is to support and promote individual and community efforts to achieve and sustain social and economic prosperity for its citizens.

State government should concentrate its energies on a few priority areas where it can make a difference, clearly define its functions within those areas, and perform those functions well. State government must look for innovative ways to accomplish its ends, including privatization and incentive-based approaches. Our imperative should be: “Government if necessary, but not necessarily government.”



## THE PHILOSOPHY OF TEXAS STATE GOVERNMENT

State government will be ethical, accountable, and dedicated to serving the citizens of Texas well. State government will operate efficiently and spend the public's money wisely.

State government will be based on four core principles that will guide decision-making processes.

### Limited and Efficient Government

Government cannot solve every problem or meet every need. State government should do a few things and do them well.

### Local Control

The best form of government is one that is closest to the people. State government should respect the right and ability of local communities to resolve issues that affect them. The state must avoid imposing unfunded mandates.

### Personal Responsibility

It is up to each individual, not government, to make responsible decisions about his or her life. Personal responsibility is the key to a more decent and just society. State employees, too, must be accountable for their actions.

## Support for Strong Families

The family is the backbone of society and, accordingly, state government must pursue policies that nurture and strengthen Texas families.

Texas state government should serve the needs of our state but also be mindful of those who pay the bills. By providing the best service at the lowest cost and working in concert with other partners, state government can effectively direct the public's resources to create a positive impact on the lives of individual Texans. The people of Texas expect the best, and state government must give it to them.

## STATEWIDE FUNCTIONAL GOAL

**Priority Goal:** To conserve and protect the state's natural resources through prudent stewardship.

### Benchmarks:

- Percent reduction in priority air pollutants in counties not meeting air quality standards.
- Percent of Texans with drinking water meeting or exceeding safe drinking water standards.
- Percent of Texas surface waters meeting or exceeding water quality standards.
- Percent of Texas agricultural and ranch lands under soil and water conservation management.
- Percent of Texas land conserved as public or private natural and wildlife areas.
- Renewable energy as a percentage of total energy used.
- Municipal solid waste generated/disposed of per capita.
- Percent of federal and state "Superfund" sites being or already cleaned up.

- Percent of state parks that are adequately maintained.
- Percent change in agricultural production.
- Number of acres of wetlands, including acres mitigated and created.
- Number of river miles for which water-availability modeling has been completed.

## TNRCC PHILOSOPHY AND MISSION

### Agency Philosophy

To accomplish our mission, we will:

- base decisions on the law, common sense, good science, and fiscal responsibility;
- ensure that regulations are necessary, effective, and current;
- apply regulations clearly and consistently;
- ensure consistent, just, and timely enforcement when environmental laws are violated;
- ensure meaningful public participation in the decision-making process;
- promote and foster voluntary compliance with environmental laws and provide flexibility in achieving environmental goals; and
- hire, develop, and retain a high-quality, diverse workforce.

### Agency Mission

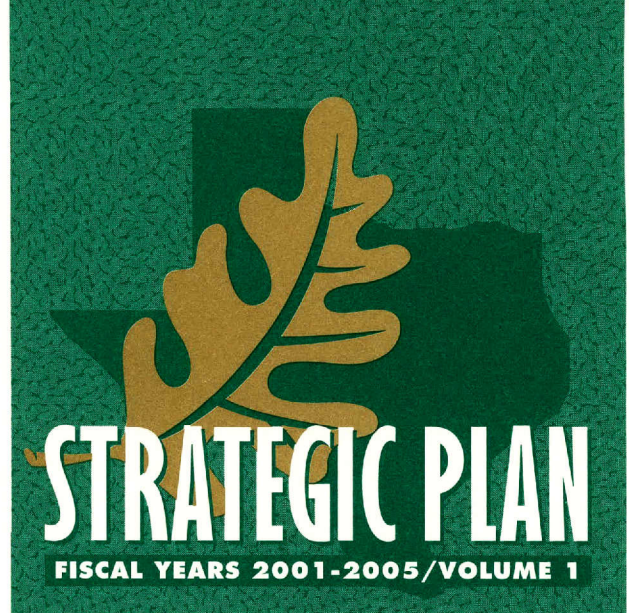
The Texas Natural Resource Conservation Commission strives to protect our state's human and natural resources consistent with sustainable economic development. Our goal is clean air, clean water, and the safe management of waste.



# EXTERNAL/ INTERNAL ASSESSMENT

## *Texas Timeline*

- 1913 The legislature creates the State Board of Water Engineers to establish procedures for defining and administering the rights of surface water users.
- 1953 The legislature creates the Texas Water Pollution Advisory Council, the first state body charged with dealing with pollution-related issues.
- 1956 Texas' first air quality initiative is established in 1956, when the State Department of Health, Division of Occupational Health and Radiation Control, begins air sampling in the state.
- 1957 The legislature creates the Texas Water Development Board to forecast state water supply needs and to provide funding for water supply and water conservation projects.
- 1961 The legislature creates the Texas Water Pollution Board and eliminates the Water Pollution Advisory Council, creating the state's first true pollution control agency.
- 1962 Texas Board of Water Engineers is renamed the Texas Water Commission, with responsibility for surface water rights, water conservation, and pollution control.
- 1965 The legislature reorganizes the Texas Water Commission as the Texas Water Rights Commission, and transfers non-water rights functions to the Texas Water Development Board.
- 1965 The Texas Clean Air Act establishes the Texas Air Control Board within the Department of Health.
- 1967 The legislature creates the Texas Water Quality Board, assuming all the functions of the Texas Water Pollution Board.
- 1969 The legislature adopts the Texas Solid Waste Disposal Act.
- 1971 The legislature creates a preconstruction permit review system.
- 1973 The legislature removes the Texas Air Control Board (TACB) and air staff from the Health Department and establishes the TACB as a separate state agency.
- 1977 The legislature creates the Texas Department of Water Resources by combining the Water Rights Commission, Water Quality Board and Water Development Board. A six-member board is set up as a policy-making body for the new agency.
- 1985 The legislature dissolves the Texas Department of Water Resources, giving most regulatory and water rights duties to the re-created Texas Water Commission and most planning and finance responsibilities to the re-created Texas Department of Water Resources. At the same time, the legislature moves the Water Rates and Utilities



- Services Program from the Public Utility Commission of Texas to the newly created Texas Water Commission.
- 1992 The legislature transfers the Water Hygiene Division, Solid Waste Bureau, and Radioactive Waste Disposal Bureau from the Texas Department of Health to the Texas Water Commission. The commission also acquires the functions of the Texas Water Well Driller's Board and the State Board of Irrigators.
- 1992 The Texas Water Commission and Texas Air Control Board are consolidated by Senate Bill 2 to create the Texas Natural Resource Conservation Commission, a comprehensive environmental protection agency with responsibilities for air, water, and land resource protection.
- 1997 The legislature transfers water well drillers regulation from the TNRCC to the Texas Department of Licensing and Regulation.
- 1997 TNRCC concludes a Performance Partnership Agreement with U.S. Environmental Protection Agency, allowing limited flexibility in federally funded program organization and funding. Aim of agreement is to allocate resources most appropriately throughout Texas on a regional basis.
- 1997 The legislature adopts Senate Bill 1, mandating water conservation planning for large water users and requiring development of drought contingency plans by public water suppliers.
- 1997 The legislature returns uranium mining, processing, and by-product disposal oversight functions to Texas Department of Health.
- 1999 The legislature transfers the functions of the Texas Low-Level Radioactive Waste Disposal Authority to the TNRCC.

## *Federal Timeline*

- 1969 Presidential Order creates Federal Environmental Protection Agency (EPA).
- 1971 EPA adopts Federal Ambient Air Quality Standards.
- 1972 Congress adopts the Federal Clean Water Act.
- 1974 Congress adopts the Federal Safe Drinking Water Act.
- 1976 Congress adopts the Resource Conservation and Recovery Act (RCRA), controlling the treatment, storage, and disposal of hazardous and solid waste.
- 1977 Congress adopts the Federal Clean Air Act.
- 1980 Congress enacts the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), popularly known as the Superfund Law. Law authorizes cleanups of hazardous waste sites.
- 1984 Hazardous and Solid Waste Amendments (HSWA) pass, creating major amendments to RCRA.
- 1986 Congress adopts the Superfund Amendments and Reauthorization Act (SARA), reauthorizes CERCLA, and creates the Toxics Release Inventory (TRI).
- 1986 Congress amends the Federal Safe Drinking Water Act.
- 1987 Federal Clean Water Act reauthorization is adopted.
- 1990 Federal Clean Air Act Amendments increase the responsibilities of the TACB.
- 1996 Federal Safe Drinking Water Act reauthorization is adopted.



## Organizational Overview

This overview describes the duties and responsibilities of each office and division of the TNRCC.

### The Commissioners' Office

Three full-time commissioners are responsible for establishing the goals and policies of the agency and deciding contested permit and enforcement matters. The commissioners are appointed by the governor with the advice and consent of the Senate for staggered six-year terms. A commissioner may not serve more than two six-year terms. The governor also names the chairman of the commission.

The offices described in the following six paragraphs report directly to the commissioners:

#### General Counsel

The general counsel is the chief legal and ethics advisor for the agency. The general counsel also provides legal assistance to the commissioners for their review of permits, proposed enforcement actions, rules, and other matters. The general counsel also manages the administrative affairs of the commissioners' office.

#### Alternative Dispute Resolution

This office assists permit applicants and persons who request contested hearings in resolving their differences informally, if possible, to avoid the time and expense of an evidentiary hearing. Alternative dispute resolution (ADR) procedures are voluntary, and participation in ADR does not forfeit a person's right to a hearing if ADR does not result in a settlement.

#### Chief Clerk

The chief clerk is responsible for posting required notices of applications, public hearings, and meetings in the *Texas Register*. The chief clerk also prepares the commission agendas, transmits final decision documents to applicants and other parties, and maintains the official records of commission proceedings.

#### Internal Audit

This division assists TNRCC management by evaluating agency control systems and auditing program, management, and electronic data operations for economy, efficiency, and effectiveness.

The Internal Audit Division also provides consultative services to management, as appropriate.

#### Public Assistance

This office explains how citizens may participate in the permitting process. It answers questions from individuals about permits and interpreting technical information. The Office of Public Assistance also helps minority and low-income communities work toward solutions to problems with industries and facilities near their homes by encouraging communication and cooperation.

#### Public Interest Counsel

This office was created to ensure that the public's interest is considered in actions of the commission. Although the Public Interest Counsel does not formally represent citizens, its role is to ensure that the public's interest is represented on issues considered by the commission.

### Executive Director

The executive director is responsible for managing the day-to-day operations of the agency. Major responsibilities include implementation of commission policies, making recommendations to the commissioners about contested permitting and enforcement matters, and approving uncontested permit applications and registrations.

Three divisions report directly to the executive director:

#### Agency Communications

This division strives to continuously improve and streamline the delivery of print and electronic information to the public. This division also coordinates the agency response to all media inquiries, prepares and distributes agency news releases, and coordinates news conferences.

#### Intergovernmental Relations

This division coordinates the agency response to legislative inquiries and constituent issues, legislative initiatives, and interim committee studies affecting the agency. This division also coordinates the agency's testimony and participation during legislative sessions and ensures that the legislature is informed of the TNRCC's initiatives and activities.



## **Small Business and Environmental Assistance**

This division provides confidential environmental technical assistance to the regulated community without the threat of enforcement action. The Small Business and Environmental Assistance Division works with businesses, industries, communities, schools, organizations, individuals, and state and local governments to help them comply with regulations, prevent pollution and waste, and engage in recycling. Methods include regional workshops, on-site technical assistance, and training. This division also recognizes environmental achievements and inspires successes through voluntary programs, awards, and other special events, such as cleanup drives and opportunities for safe disposal.

## **Office of Administrative Services**

The Office of Administrative Services is responsible for providing many of the services that are essential for the efficient operation of a large public service organization. These services include strategic planning, budgeting, human resources, financial administration, administrative audits, financial assurance, computer resources, and facilities support and maintenance.

## **Chief Financial Officer**

The Chief Financial Officer supervises the financial operations of the agency. The Chief Financial Officer oversees all budgeting and financial issues affecting the TNRCC. This division is also responsible for preparing the agency's strategic plan, biennial appropriations request, and quarterly performance reports for the legislature and the governor. The Chief Financial Officer Division also prepares, submits and monitors all of the agency's federal grant applications and work plans.

## **Budget and Planning**

This division develops and monitors the TNRCC's annual operating budget and assists in the development of the agency's biennial legislative appropriations request. The Budget and Planning Division also performs special analyses throughout the year to ensure that appropriated funds are expended effectively and efficiently to achieve agency goals and priorities.

## **Financial Administration**

This division is responsible for revenue collection, procurement of goods and services, payments to vendors, ensuring the integrity of the accounting records, maintaining adequate internal controls to safeguard the agency's financial assets, and payroll.

## **Human Resources and Staff Development**

This division performs recruitment, staffing, classification, compensation and benefits, and employee-management relations activities on behalf of the agency and coordinates job-related training. The Human Resources and Staff Development division also collects and distributes human resources management information, administers the Affirmative Action Plan, and ensures compliance with equal employment criteria, the Fair Labor Standards Act, the Position Classification Act, as well as other state and federal laws and regulations.

## **Information Resources**

This division provides systems management support for all agency computers, and develops and supports software to meet internal and external customer needs. The Information Resources Division also maintains agency records and serves as a clearinghouse for database information to the public and other government agencies. This division also coordinates the preparation of the Information Resources Strategic Plan and the Biennial Operating Plan.

## **Support Services**

This division maintains facilities and equipment for other TNRCC programs, handles risk management and workers' compensation claims, provides safety training, and conducts safety inspections. Additionally, the Support Services Division provides security for agency facilities, and manages all the agency's physical assets.

## **Office of Compliance and Enforcement**

This office oversees the enforcement, field operations, monitoring, and compliance support functions of the agency. It includes 16 regional offices strategically located across the state.

## **Compliance Support**

This division maintains certification, licensing, and registration programs for several environmental occupations. Examples include operators of wastewater facilities and waterworks, and installers of underground storage tanks, landscape irrigation systems, and on-site sewage facilities (septic systems). The Compliance Support Division is also responsible for managing the quality assurance program for federally funded activities.

## **Enforcement**

The Enforcement Division is responsible for ensuring that violations of state environmental laws are corrected. The division develops formal enforcement cases in accordance with state statutes and agency rules and in accordance with the agency's philosophy that enforcement, when necessary, must be swift, sure, and just. Specifically, the division drafts proposed enforcement orders that include appropriate penalties and orders for the commission's consideration and approval.

## **Field Operations**

This division maintains 16 regional offices located throughout the state and a central office in Austin. Major responsibilities of the Field Operations Division include conducting site visits for compliance determinations at regulated air, water, and waste facilities; responding to citizen inquiries and complaints; and developing enforcement actions for violations identified during inspection and complaint investigations.

## **Monitoring Operations**

This division is responsible for monitoring and analyzing air and water quality within the state and reporting that information to the public. The Monitoring Operations Division also operates central and mobile laboratories based in Austin and a laboratory in Houston that provide analytical services for air, water and waste samples.

## **Office of Environmental Policy, Analysis, and Assessment**

The office of Environmental Policy, Analysis, and Assessment has four major functions: strategic

environmental analysis and assessment; coordination of all policy development and rule-making activities of the agency; coordination of border affairs, and technical analysis of data to support these functions .

## **Policy and Regulations**

This division is responsible for the development and revision of all agency rules and regulations to reflect changes in state and federal laws, rules, and regulations. The Policy and Regulations Division also coordinates the activities of the Coastal Bend Bay and the Galveston Bay Estuary Programs.

## **Strategic Assessment**

This division researches regional and statewide environmental issues for the purpose of setting priorities and developing strategies to improve and protect the state's environment. The Strategic Assessment Division also conducts such diverse projects as the analysis of environmental indicators, performance metrics, trends and comparative risks; the development of air quality state implementation plans, comprehensive solid waste planning, and the Total Maximum Daily Load Program to address impaired surface water bodies.

## **Technical Analysis**

This division provides computer modeling and data analysis in support of agency pollution control strategies. The Technical Analysis Division develops and updates the emissions inventory for all stationary, mobile, and area sources of air contaminants. The division also (1) performs surface and groundwater quality and planning assessments, (2) administers the Clean Rivers Program and the Nonpoint Source Pollution Management Program.

## **Office of Legal Services**

This office manages the agency's legal and litigation coordination services and provides general legal services for agency operations.

## **Environmental Law**

This division supports the agency's air, water, waste, and remediation programs. The Environmental Law division also provides legal counsel to the agency in all areas of permitting, legislative analysis, remediation determinations, federal program



authorization issues, and rule making; and represents the executive director in contested permitting matters.

### **General Law**

This division provides legal counsel on issues related to personnel and employment law, contracts, public information processing and distribution, and records retention. The General Law Divisions also prepares the administrative records for appeals under the Administrative Procedures Act.

### **Litigation**

This division supports the agency's enforcement activities and contested administrative enforcement actions, and coordinates civil enforcement litigation with the Office of the Attorney General. The Legation Division is also involved in the investigation and prosecution of criminal matters in a coordinated effort with local, state, and federal authorities. The division also coordinates the Supplemental Environmental Projects Program and the Environmental Audit Program.

## **Office of Permitting, Remediation and Registration**

This office consists of five divisions: Air Permits, Registration, Review and Reporting, Remediation, Waste Permits, and Water Permits and Resource Management.

### **Air Permits**

This division has primary responsibility for processing permits of facilities that propose to emit pollutants into the air. Two major responsibilities for the Air Permits Division include New Source Review and Operating Permits. New Source Review processes permit applications and standard exemption registrations for all new and modified sources of air emissions. This division also reviews federal operating permit applications, which require all major industrial sites to apply for a single operating permit that codifies all state and federal regulations at that site into one permit.

### **Remediation Division**

This division is responsible for overseeing the investigation and cleanup of hazardous pollutants released into the environment. The Remediation

Division administers programs that address petroleum storage tanks, hazardous and nonhazardous industrial waste sites, voluntary cleanups, innocent owner/operator certification, state brownfields initiatives, Superfund activities, and the Natural Resource Trustee Program.

### **Registration, Review, and Reporting**

This division is responsible for the initial review of most air, water, and waste permits for administrative completeness so that the agency can start processing them. The division manages registration and reporting by most water and wastewater facilities and the petroleum storage tank (PST) reimbursement program, which reimburses contractors for the remediation of contaminated PST sites. In addition, the Registration, Review, and Reporting Division provides technical assistance to PST owners and operators.

### **Waste Permits**

This division is responsible for the permitting of facilities that store, process, and/or dispose of industrial and hazardous waste, nonhazardous industrial waste, municipal solid waste and special waste. The Waste Permits Division also reviews applications for the disposal of most radioactive materials, including low-level radioactive wastes that originate from nuclear power production, medical treatment, and research facilities.

### **Water Permits and Resource Management**

This division is responsible for the quality, quantity and availability of water in Texas. The Water Permits and Resource Management division issues water rights and wastewater permits, oversee the implementation of the Safe Drinking Water Act, and provides oversight of water utilities and water districts.

## **Agency Accomplishments**

### **Pollution Prevention and Recycling**

#### **Reducing Waste and Emissions**

The agency helped facilities reduce waste and emissions while realizing environmental and



financial savings. Facilities reported in 1999 that they:

- reduced hazardous waste by 86,000 tons, including 9,500 tons in the maquila industry (plants that assemble goods in Mexico for re-export to the United States);
- reduced volatile organic compounds by 300 tons (including 44 tons in the maquila industry); and
- reduced nonhazardous waste by 152,600 tons.

Because of these reductions, facilities conserved 1.5 billion gallons of water and saved \$88 million. Reducing volatile organic compounds is crucial in battling ground-level ozone in nonattainment areas; and conserving water is critical as Texas struggles with drought conditions and works toward improving the quality of existing bodies of water.

### **Pollution Prevention Programs**

Many of the agency's pollution prevention programs have proved to be successful:

- The 472 Texas Recycles Day events in fiscal year 1999 produced 26,000 recycling pledges from Texans, and the events were covered in 134 newspaper stories and 30 radio and television stories.
- Clean Industries 2000 (a voluntary conservation group for industry) members cut Toxics Release Inventory emissions by 50% between 1988 and 1997, which accounts for 80% of all statewide reductions for that period. Members established 198 communication programs for citizens, and sponsored 578 local environmental projects.
- Clean Cities 2000 (a voluntary conservation group for municipalities) members diverted almost 2 million tons of waste from community landfills between 1995 and 1997. Members are currently diverting about 1 million tons of municipal solid waste from disposal each year.
- Clean Texas Star (a voluntary group for organizations interested in solid waste reduction) members purchased more than \$260 million of recycled-content products.
- Through the Proposition 2 Tax Abatement Program (which offers tax exemptions for pollution control equipment installed), Texas

companies realized \$25 million in tax savings and have made \$1 billion in environmental investments.

- The Resource Exchange Network for Eliminating Waste (RENEW) Program grew by 65 new listings which resulted in 26 exchanges of 24 million pounds of materials. Participants saved \$555,562 in disposal costs and earned \$3.7 million in revenue on transferred materials.

### **Small Business and Local Government Assistance**

In fiscal year 1999, the Small Business Assistance Program merged with the Local Government Assistance Program, Flood Plain Management, and Recycling staff. As part of this reorganization, the new Small Business and Local Government Assistance (SBLGA) Section sent 19 staff positions to the TNRCC regional offices to improve compliance at the local level. Staff performed 225 compliance and pollution prevention site assistance visits, saving small businesses more than \$150,000. During this year, 150 small businesses took advantage of the SBLGA contracted site assessment program. As a result of these visits, over 75% of the businesses made immediate changes to benefit the environment. A total of 42% of the businesses completed pollution prevention related changes; 43% changed their compliance practices in air, water, and waste; and 13% created or modified their environmental record keeping and reporting practices.

### **Partnerships with Other Organizations**

- With 1-800-CLEANUP, TNRCC partnered with EPA, the private sector, and other states to provide information customized for each area regarding recycling, household hazardous waste, and other environmental issues.
- With the Keep Texas Beautiful Program, the agency coordinated 50 voluntary cleanups of Texas rivers, lakes, and creeks.
- With the Corporation for National and Community Service, the agency placed seven VISTA volunteers in El Paso, Edinburg, and Eagle Pass to educate low-income communities on waste management and illegal dumping.

- For its Teaching Environmental Science graduate course, the TNRCC partnered with 11 universities and 12 different industries and organizations to provide stipends for teachers to attend.

## Country Cleanups

The agency coordinated 43 Texas Country Cleanups and 2,712 participants collected:

- 49,405 tires,
- 41,396 plastic pesticide containers,
- 37,313 gallons of used oil,
- 55,660 used oil filters, and
- 3,942 batteries.

At the 14 waste pesticide collections, 2,616 participants collected 906,000 pounds of hazardous agricultural waste.

## Permitting

### Water Availability Modeling

The TNRCC developed new water availability models for six river basins. TNRCC staff are using the new models to make better permitting decisions and to more effectively manage the state's surface water resources. Information on water availability is also distributed to water right permit holders and to the Regional Water Planning Groups.

### Drought Contingency Planning

Large retail public water suppliers, those with 3,300 or more connections, wholesale water suppliers, and irrigation districts have developed and submitted a total of 546 drought contingency plans to the TNRCC. A model drought contingency plan has been prepared for smaller systems, and small systems are being trained in drought plan preparation at 13 workshops across the state.

### Wastewater Permitting

When, TNRCC received authorization to implement the National Pollutant Discharge Elimination System (NPDES) from the EPA on September 14, 1998, the agency discovered a backlog of over 3,600 pending NPDES permit applications. The TNRCC quickly discovered that more than half of these pending applications were for facilities that were no longer operating or that had found discharge alternatives. Beginning in February 1999, the

wastewater permitting staff accepted and met the executive director's challenge of eliminating the remaining backlog by processing approximately 1,600 permits by December 31, 1999.

Sixty-nine approved programs involving over 100 major cities have been given program guidance, annual report forms, and extensive training through the TNRCC's Water Quality Seminars in coordination with the Texas Water Utilities Association. In addition, the TNRCC has fully staffed a stormwater team that has begun drafting TPDES stormwater permits according to the implementation schedule agreed upon in the memorandum of agreement with EPA.

### Voluntary Emission Reduction Permitting

The emission reductions made through the TNRCC air permitting programs have made significant contributions to improving the air quality in Texas during a period of significant population and economic growth. Under Senate Bill 766, 76<sup>th</sup> Legislature, Regular Session, 1999 (an Act relating to the issuance of certain permits for the emission of air contaminants), the TNRCC adopted rules that establish the Voluntary Emission Reduction Permit (VERP) program, which will result in voluntary emissions reductions from grandfathered emission sources.

Under the program, applicants will have until August 31, 2001, to apply for a VERP. Currently 112 facilities have volunteered to obtain permits for their grandfathered sources. The implementation of the agency's flexible permit process has also realized a reduction of 50,000 tons per year of air pollution from existing sources.

### Municipal Solid Waste Permitting

Due to the implementation of Senate Bill 486, 76<sup>th</sup> Legislature, Regular Session, 1999 (an Act relating to the processing or disposing of solid waste), and the development and implementation of municipal solid waste permit application review policy and timetable, TNRCC realized a 22% reduction in the average time required for completion of the administrative review of a municipal solid waste permit application. Procedures were also implemented for Special Waste requests; this change resulted in a reduction of average processing time for these requests from 60 days to 10 days.



## Public Drinking Water

TNRCC's Source Water Assessment and Protection (SWAP) Program was approved by EPA on November 6, 1999. The program provides for a comprehensive approach to protecting drinking water sources from point of origin in an aquifer or watershed to delivery to the customers' tap. The assessments will be complete by 2003 and will be provided to water system management for subsequent local implementation.

A very successful Consumer Confidence Report (CCR) implementation project was completed, which assisted Public Water Systems with complying with the Safe Drinking Water Act requirement. Draft CCRs were sent by TNRCC to water systems for distribution to their customers, thus achieving a very high compliance rate with the requirement. This project will continue in future years.

With the help of an active stakeholder process, Texas was the first state to develop an initial Capacity Development Strategy for Public Water Systems as required in the recently amended Safe Drinking Water Act. TNRCC received EPA approval of the new system portion of the strategy on July 16, 1999. An approved strategy makes Texas eligible to continue to receive grants of between \$40 and \$60 million each year for low-interest loans to public water systems and operation of the public drinking water program and Texas Water Development Board's loan program.

## Water Utilities and Rates

TNRCC staff developed rules authorizing alternate rate methodologies as permitted in Senate Bill 1, 75<sup>th</sup> Legislature, Regular Session, 1997 (an Act relating to the development and management of the water resources of the state; providing penalties); the purpose is to strengthen good utilities and encourage consolidations of small non-viable water and wastewater utilities. These efforts have resulted in the consolidation of over 200 struggling utilities with stronger utilities and greatly improved service for customers.

## Permitting Title V Facilities

The interim Title V Operating Permits program of the federal Clean Air Act Amendments of 1996 was approved by EPA on June 5, 1996. Due to the

innovative design and hard work of Operating Permits staff, Texas was one of the few states to issue the number of required permits in the first two years of approval. Critical to this success was the development of general operating permits to reduce the resources needed to process operating permits.

In the future, the use of general operating permits for the Compliance Assurance and Periodic Monitoring programs will provide for consistency and improved efficiencies in implementing these two programs. The Air Permits Division will receive the final batch of initial Title V operating permit applications in May 2000. Processing of these and all remaining initial issuance applications will continue as staff finalizes development of automated operating permit revision tools and procedures.

## Assessment and Planning State Implementation Plans

The Dallas–Fort Worth, Houston–Galveston, Beaumont–Port Arthur, and El Paso areas are currently in violation of the one-hour standard for ozone. These areas must improve their air quality—first and foremost for the benefit of the citizens there and, secondarily, in order to avoid federal sanctions. The plan to clean up the air is laid out through a document called a State Implementation Plan, or SIP.

The SIP revision we are currently considering includes proposed rules and other programs for improving air quality and lets the federal government know how the state will meet the federal air quality standards. The SIP contains programs that have statewide applicability, regional applicability, and local applicability. The massive effort undertaken by the SIP team has resulted in a comprehensive State Implementation Plan revision that has resulted in some of the most significant air quality planning efforts undertaken by the state. The plan, adopted on April 19, 2000, included rules that apply statewide, regionwide, and to the nonattainment area. In detail the effort included:

- Beaumont–Port Arthur phase I and phase II SIP revisions.
- Houston–Galveston phase I and “gap measures” SIP revisions.
- Dallas–Fort Worth phase I and phase II SIP revisions.

- Adoption of two statewide rules.
- Adoption of three regional rules.
- Adoption of more than 10 rules and other air improvement measures for the DFW area.

### **Total Maximum Daily Loads (TMDLs)**

The federal Clean Water Act Section 303(d) requires states to identify impaired water body segments and to develop a watershed action plan for those segments outlining the steps necessary to reduce pollutant loads to restore and maintain human uses or aquatic life. The agency goal is to develop over a 10-year period Total Maximum Daily Loads (TMDLs) for the 147 segments listed in the 1998 303(d) list.

In fiscal year 2000, the TMDL Program has 26 ongoing projects addressing 94 impaired segments throughout the state. These projects are addressing a diverse array of water quality impairments including low dissolved oxygen, high dissolved solids, toxics, and herbicides.

The TNRCC's approach to developing TMDLs emphasizes the importance of involving local stakeholders in the process, working with EPA and national organizations to refine the TMDL process, and continuing to improve the procedures used to assess water quality.

The TMDL Team is overseeing a statewide project examining current procedures used to protect human health from exposure to pathogenic organisms. Water quality standards are impaired in 54% of the segments on the state's 1998 303(d) list as a result of elevated levels of fecal coliform bacteria. Before embarking on costly implementation projects in these areas, which may or may not be necessary, the TNRCC is evaluating the current use of bacterial indicators in determining the safety of water bodies for contact recreation, and will determine appropriate sampling and data assessment methodologies for monitoring bacterial indicators.

### **Surface Water Quality Assessment**

The Clean Rivers Program is a unique partnering of TNRCC with local water quality agencies, such as river authorities and local governments, that leverages state and local funding for monitoring and assessment of surface water quality. This expansion of the

statewide comprehensive surface water quality monitoring network adds substantially to the preparation of the Texas Water Quality Inventory, conducted pursuant to Section 305(b) of the Clean Water Act. Leveraged local funds, totaling \$4.8 million in surface water quality monitoring in the 2000-01 biennium, now complement the \$4.3 million paid directly for monitoring through Clean Rivers Program contracts.

### **Strategic Environmental Analysis (SEA) Group**

The Strategic Environmental Analysis (SEA) Group was established in October 1998 to provide environmental strategic planning information to complement the agency's existing budgeting strategic planning process. The new group analyzes environmental data to determine causes of apparent trends, and to better enable the agency to prepare and plan for future environmental problems.

The group has conducted a number of studies, portions of which are combined to create one volume of the agency's Strategic Plan. The studies examined the development and use of environmental indicators, evaluated environmental releases according to industry classification categories, and defined regional planning areas to provide a geographic basis for comprehensive assessment and planning activities on a regional level.

### **National Recognition for Bays and Estuaries Partnership**

In October 1999, the Galveston Bay Estuary Program (GBEP) received a national award from Coastal America, recognizing GBEP's partnership with Reliant Energy, the Natural Resource Conservation Service, the Environmental Protection Agency, and others, to restore a 12-acre wetland site along Clear Creek. The project was recognized for its success in leveraging funds from a variety of sources and in involving multiple, diverse partners to restore vital natural resources.

Coastal America is a partnership of national, regional, and local teams that deal with critical coastal environmental problems nationwide. The partnership includes the Executive Office of the President, 10 federal departments, EPA, and state, local, and private organizations.



## Regulation Review and Reform

The rules review program began with the passage of House Bill 1, Article IX, Section 167, the 75<sup>th</sup> Legislature, Regular Session, 1997 (the General Appropriations Act), which required agencies to review agency rules every four years to determine if the need for the rules still existed.

At TNRCC this is a mammoth task, as the agency has over 3,000 rule sections currently on the books. The agency has completed the review and re-adoption (or repeal) of 36 of 84 total chapters (or 1,258 of 3,764 rule sections), for a chapter completion percentage of 43.5%. The commission has another 26 chapters currently under review. During the rules review process, the commission staff has incorporated regulatory reform and streamlining principles whenever possible, resulting in approximately 6 complete chapters being repealed.

## Comprehensive Waste Planning

The Regional Solid Waste Grants Program established under House Bill 3072, 74<sup>th</sup> Legislature, Regular, Session, 1995 (an Act relating to the use of solid waste fee revenues), has continued to provide needed support to regional and local efforts to address municipal solid waste management needs in the state.

During the 1998-99 biennium, the program supported 529 local and regional projects. Some of the key program results included: 283,072 litter and illegal disposal sites identified, with 12,600 of these sites cleaned up and 1,017 fines issued. Additionally, over 615,574 tons of waste were diverted from disposal for recycling.

The Waste Planning program is also overseeing completion of an inventory of closed and abandoned landfills, in accordance with the amendments to the inventory requirements by Senate Bill 1447, 76<sup>th</sup> Legislature, Regular Session, 1999 (an Act relating to the requirements for identifying former municipal landfills and notifying the owners of the overlaying property).

## Ozone Forecasting

The TNRCC ozone forecasting program began in 1993 and has expanded to include eight forecast areas: Austin, Beaumont–Port Arthur, Corpus Christi, Dallas–Fort Worth, El Paso, Houston–Galveston–Brazoria, San Antonio, and Tyler–Longview–Marshall.

The goal of the forecast program is to issue ozone action notices on days when ozone is anticipated to be high, so that the local citizens and businesses can take voluntary steps to reduce activities that contribute to the production of ozone.

TNRCC also began an enhanced ozone warning program in September 1999 with a pilot program for the Dallas–Fort Worth area. This program is designed to provide real-time notification of measured high ozone levels to local health authorities, who can then distribute the information locally. This will allow citizens to be better informed and able to make better decisions concerning activities that may affect their health.

## Compliance and Enforcement Increased Presence in the Field

In order to provide more efficient customer service and environmental oversight, several initiatives have been completed or are under way. Regional offices have been given the capability and the tools to initiate enforcement orders, providing the regional offices greater input and responsibility for enforcement actions. In fiscal year 1999 this process was put into full implementation.

In addition, staff positions have been reallocated from the central office area to the field offices to aid in this effort. In addition to increasing the regional office number from 15 to 16 (Laredo) and adding two satellite offices (Stephenville and Perryton), the agency is in the process of reallocating even more staff positions and functions, such as small business assistance, some permitting, and emergency response capabilities, to increase agency presence in the region. These efforts will enhance effectiveness by placing resources closer to the regulated community and the public that is served.

## Criminal Enforcement

The TNRCC has an effective criminal investigation and prosecution unit to address those who commit the most serious environmental crimes. The TNRCC's Special Investigations Unit is a member of Texas Environmental Enforcement Task Force, and its manager chairs the task force.

In fiscal year 1999, the TNRCC played a key investigative role in the completion of 11 criminal cases involving 13 felony counts and 5 misdemeanor

counts against 12 individuals and 2 corporations for environmental crimes. This compares to the completion of 8 criminal cases involving 7 felony counts and 36 misdemeanor counts against 10 individuals and 1 corporation in fiscal year 1998, and the completion of 9 criminal cases involving 24 felony counts and 13 misdemeanor counts against 21 individuals and 4 corporations in fiscal year 1997.

Criminal convictions have continued to increase. During the first six months of fiscal year 2000, convictions have already exceeded the number of entities convicted for fiscal year 1999. In addition, the first task force report was issued and distributed to government agencies and other groups. In December 1999, the task force secured Texas' first conviction of individuals who violated the Federal Clean Air Act. The Special Investigations Unit has trained more than 200 police officers in environmental crime investigation.

### **Public Drinking Water Enforcement**

Senate Bill 1, 75<sup>th</sup> Legislature, Regular Session, 1997, (an Act relating to the development and management of the water resources of the state; providing penalties) broadened the language defining abandonment of a public water system. This change facilitated the use of receiverships and authorized the commission to require a business plan, order interconnects, impose supervision, or name a temporary manager for substandard systems. Through this expanded authority, the commission has been instrumental in strengthening the management of over 277 substandard public drinking water systems. These ownership/receivership changes were made as a direct result of enforcement actions.

### **Petroleum Storage Tank Enforcement**

The commission initiated an aggressive inspection and enforcement program for petroleum storage tank facilities, issuing shutdown orders to 11 facilities for unresolved release detection and spill and overflow requirements in fiscal years 1999 and 2000.

### **Supplemental Environmental Projects**

Supplemental Environmental Projects (SEPs) are projects that invest penalty dollars, generated from enforcement cases, back into the communities where the alleged violations occurred. In fiscal year

1999, the commission approved 44 SEPs with a required expenditure of over \$1.1 million. In the first half of fiscal year 2000, the commission has approved 53 SEPs with a required expenditure of over \$1.9 million on projects to improve the environment.

### **Environmental Audits**

The TNRCC coordinates an Environmental Audit Program, which allows a company to conduct an audit of its operations to determine its compliance status. If the company notifies the agency of its intent to conduct the audit, then conducts the audit, discloses the violations to the agency, and corrects the violations in a timely manner, the company can be granted conditional immunity from administrative and civil penalties. Through March 2, 2000, the TNRCC has received 1,142 Notices of Audit and 282 Disclosures of Violation.

### **Remediation**

#### **Petroleum Storage Tank Program**

Since June 1998 the Petroleum Storage Tank Program has reviewed assessment and/or remediation reports and determined that no further cleanup is required at 2,056 sites. During the same period, the program has confirmed an additional 1,514 releases from regulated facilities.

#### **Superfund Cleanup Program**

During the 1998-1999 biennium, cleanups were completed at 20 state and federal Superfund sites. Cleanups were under way at 30 others.

TNRCC completed major removals of lead contaminated soils from residential areas in Houston (MDI, 89 properties) and in Dallas (Cadillac Heights, 67 properties). The MDI removal, a pilot project, was one of the first removals in the country conducted by a state agency with EPA funding. Thirty other removal actions were initiated to remove immediate threats to human health and the environment. In addition, 17 Superfund Hazard Ranking Packages were completed, which resulted in the proposal of 8 sites to the National Priorities List.

#### **Corrective Action—Federal Facilities**

TNRCC oversees cleanup of 16 Department of Defense active major installations, 7 base realignment



and closure facilities, 1 voluntary military closure, 36 formerly used defense sites, and 8 national guard and reserve centers. The agency has worked with the military to expedite the conversion of military bases to civilian use. This cooperation resulted in the timely closure of Bergstrom Air Force Base and the opening of Austin Bergstrom International Airport.

### **Voluntary Cleanup Program**

Since the Voluntary Cleanup Program (VCP) was implemented in September 1995, over 1,050 sites have entered the program and 400 certificates of completion have been issued. The value of these properties has increased by more than \$215 million, and 8,294 new jobs have been created as a result of this program.

## ***Current Year Activities***

### **A New Look at the TNRCC**

The TNRCC has completed a major reorganization that is intended to make the agency more responsive to the needs of the general public and the regulated community.

The reorganization of agency divisions brings all permit functions into a single administrative framework and allows the TNRCC to conduct more cross-analyses of air, water, and waste issues—and how they interact.

Gone are the old offices of Air Quality, Water Resource Management, and Waste Management. A newly created Office of Permitting gives the public and regulated entities a single point of contact and direct access to agency permitting. Also, all planning and assessment functions were consolidated into the Office of Environmental Policy, Analysis, and Assessment to bring together agency experts in all facets of the environment.

The reorganization, which marks completion of the 1997 Business Process Review, will enable the agency to make decisions according to how all the core elements of air, water, and waste management will be affected.

Everything is connected; strategies that minimize air pollution often times impact water quality and vice versa. The agency reorganized to build a culture in which individuals look at the total impact on the environment.

Six years ago, the legislature ordered the consolidation of the state's major environmental and natural resource programs, which resulted in the merger of the Texas Water Commission, the Texas Air Control Board, and elements of the Texas Department of Health. Since then, the TNRCC has worked to eliminate duplication and to increase operating efficiency.

In addition, this fiscal year the agency will transfer about 100 staff positions to 16 field offices to strengthen the TNRCC's regional presence. Already, 20 positions from the Small Business and Environmental Assistance Division have moved and now serve in contact and outreach positions for programs designed for local governments, small businesses, pollution prevention, and recycling. These larger regional staffs are expected to achieve more effective compliance with state and federal environmental laws.

### **TNRCC Revises Air Quality Plan For DFW, Beaumont Areas**

In April 2000, the executive director recommended to the three-member commission a comprehensive package of aggressive plans for metropolitan areas, widespread regional industrial controls, and state-wide rules designed to improve air quality in Texas.

The recommendations were first proposed in December 1999 and have been revised following an extensive public comment period. On April 19, 2000, Commissioners approved plans to help the Dallas–Fort Worth and the Beaumont–Port Arthur areas meet the federal standard for ground-level ozone. The plans also are expected to improve air quality in areas that currently comply with federal air quality standards. The following proposals have been approved by the commissioners:

- Revisions to the *air quality plan for the Dallas–Fort Worth nonattainment area*, which include:
  - ▼ a more effective vehicle emissions testing program expanded from Dallas and Tarrant counties to Denton, Collin, Kaufman, Ellis, Rockwall, Parker, and Johnson counties;
  - ▼ an 88 percent reduction in nitrogen oxide (NOx) emissions from power plants in Dallas, Tarrant, Denton, and Collin counties;

- ▼ speed limit reductions in a nine-county area;
  - ▼ electrification of ground-support equipment at DFW International Airport, Love Field, Meacham Field, and Alliance Airport or alternative equivalent reductions;
  - ▼ cleaner diesel fuel;
  - ▼ energy conservation and transportation control measures in nine counties; and
  - ▼ an ozone season ban on early-morning operation of heavy-duty construction equipment and requiring accelerated purchase of cleaner construction equipment in Dallas, Tarrant, Denton, and Collin counties. Contractors can substitute equivalent reductions for these requirements.
- Revisions to the plan for the three-county Beaumont–Port Arthur nonattainment area, which include NO<sub>x</sub> emission reductions, primarily from new controls on major industrial sources.
  - Rules to establish pollution controls on major sources of NO<sub>x</sub> emissions, including cement kilns, outside the nonattainment areas. Power plants with current state permits are expected to reduce NO<sub>x</sub> emissions by about 50%; cement kilns are expected to reduce NO<sub>x</sub> emissions by about 30%.

By 2002, only water heaters with low-NO<sub>x</sub> emissions could be sold in Texas.

## Ozone Health Alerts Available Online

The TNRCC is initiating a year-round system designed to help protect residents in the state’s two largest urban areas by providing prompt health alerts when ozone levels pose potential health concerns.

The Ozone Warning Program will issue notices to public health authorities, local officials, schools, day care centers, and interested individuals every time ground-level ozone in Houston-Galveston and Dallas–Fort Worth reaches levels determined by the EPA to carry possible health risks.

The three-tier warning system is designed to issue notifications ranging from a cautionary warning, intended for the most health-sensitive members of the public, to the highest alert, which could threaten the public at large, according to EPA criteria.

The automated system will be implemented in the Houston-Galveston area in April 2000. Implementation in the Dallas–Fort Worth area will follow in May. Typically, the worst ozone months are March through November in Houston-Galveston and May through October in Dallas–Fort Worth.

The warning program is set up to automatically issue e-mail messages from the TNRCC’s Austin headquarters to local authorities, news organizations, and interested citizens within 20 minutes after ozone has been measured over specified levels. The system will respond to three trigger levels that are based on the EPA’s Air Quality Index. The color-coded levels are:

- **Orange (the lowest level of alert):** Notification occurs when TNRCC air monitors measure ozone levels in excess of 125 parts per billion (ppb). EPA has determined that ozone at this level can be unhealthy for sensitive groups, such as children, active adults, and people with respiratory problems such as asthma or emphysema. These individuals should limit outdoor work or play.
- **Red (the first level of general alert):** Notification is triggered when ozone levels reach or exceed 165 ppb. EPA has determined that ozone at this level can be unhealthy for the general population. Anyone can experience adverse effects, especially people who are sensitive to ozone. Children, active adults, and people with respiratory conditions should avoid outdoor exertion for extended periods. Everyone should limit outdoor work or exercise. Adverse health effects include shortness of breath and coughing and are more likely to occur during strenuous outdoor exercise.
- **Purple (ozone at most dangerous level):** Notification is issued when ozone levels reach or exceed 205 ppb, which EPA has determined to be “very unhealthy” for the general public. People sensitive to ozone conditions should avoid all outdoor activity, and all other residents should avoid heavy outdoor exertion, such as jogging.

Anyone in Texas may sign up for e-mail notification of high-ozone levels occurring in the Houston-Galveston or Dallas–Fort Worth areas at: [tnrcc.state.tx.us/air/monops/o3emailnotify.html](http://tnrcc.state.tx.us/air/monops/o3emailnotify.html).



This Web page also allows individuals to sign up for e-mail notification of ozone action day forecasts, which are issued when meteorological conditions are expected to be favorable for ozone formation.

Also, real-time ozone measurements from the TNRCC's air monitoring network are available at: [www.tnrcc.state.tx.us/cgi-bin/monops/daily\\_average](http://www.tnrcc.state.tx.us/cgi-bin/monops/daily_average). This gives hourly readings for not only ozone but carbon monoxide, sulfur dioxide, PM<sub>2.5</sub>, and several other pollutants.

In addition, TNRCC has added animations of the ozone concentrations measured in the Houston-Galveston-Brazoria, Beaumont-Port Arthur, and Dallas-Fort Worth areas. These maps are available at: [www.tnrcc.state.tx.us/cgi-bin/monops/ozone\\_animation](http://www.tnrcc.state.tx.us/cgi-bin/monops/ozone_animation).

## Preparing for Dry Times

Small and medium-size retail water utilities face a September 2000 deadline to complete their drought contingency plans. The TNRCC is working with those systems to help them meet that deadline. With weather forecasts predicting dry and milder-than-usual weather this winter and spring, another year of drought is expected.

Legislative requirements for drought planning affect almost all of the state's 4,500 community water supply systems. The first phase of drought planning occurred last year when almost 600 of the largest systems—systems serving cities with more than 10,000 in population, suburban areas, and wholesale suppliers—had submitted their required drought contingency plans to the TNRCC.

The remaining retail water utilities—primarily those in municipalities, water supply corporations, and municipal utility districts with fewer than 3,300 retail connections—must have their plans ready to present on request of TNRCC inspectors by September 2000.

These plans detail the steps each supplier will take to deal with different stages of drought conditions. Among the chief elements that TNRCC rules require are the triggers each supplier will use to begin and end each stage of its drought response, what customers will be asked to do at each stage, and the procedures that will be used to notify customers and the media.

## Water Pollution Control

The TNRCC's efforts to identify polluted water bodies and restore their productive uses pose scientific challenges for agency staff engaged in this endeavor.

As the latest annual list of proposed "impaired" water bodies takes shape, the media and general public are likely to pay close attention to those water segments that fail to meet standards. The TNRCC has been working for months to determine which water bodies it will recommend adding to the list and which ones should be removed. Contamination in some waterways, as expected, will draw new scrutiny, while results from other newly tested waters will show they do meet the standards for their intended uses.

All of this occurs as the TNRCC and its local and regional partners widen the net to monitor more surface waters each year. Wider monitoring accounts for the increase in water segments recommended for the impaired waters list: 244 this year, as opposed to 200 last year. Increased monitoring also can assist with getting water bodies removed from the list.

For the proposed year 2000 list, some 60 water bodies may be added by the TNRCC, while 16 waters are recommended for removal.

The impaired waters list, termed Section 303(d) from its citation in the federal Clean Water Act, enumerates the impaired waters within their respective river basins. The list identifies those water bodies targeted for the development and implementation of what are known as "total maximum daily loads" (TMDLs) for these particular water bodies, or the maximum amount of a pollutant that a lake, river, stream, or estuary can receive without seriously harming its beneficial uses.

The 60 water bodies the TNRCC proposes to add to the 2000 list were identified for a number of reasons, but their inclusion does not mean that overall water quality in Texas is in decline.

The additional waters being studied for contaminants reflect the state's goal to monitor and assess more waters that have not been studied and to classify previously unclassified waters as to their quality and uses. The TNRCC and its local and regional partners are doing a better job of evaluating water quality on a broader scale with better technologies. They also are standardizing collection methods and sharing the data.

Most of the contaminants found in the new additions raise these concerns: dissolved oxygen concentrations low enough to affect aquatic life; bacteria counts that could affect the safety of recreational activities; and levels of dissolved metals, such as selenium and mercury, that are sufficient to accumulate in fish tissue.

The TNRCC will continue to amend the proposed 2000 list in the spring of 2000, then submit the final recommendations to EPA. The draft list can be viewed at: [www.tnrcc.state.tx.us/water/quality/tmdl/index.html](http://www.tnrcc.state.tx.us/water/quality/tmdl/index.html).

## Backlog Wiped Out

In a typical year, the TNRCC processes 700 to 800 permit requests to discharge wastewater. But from September 1998 through December 1999, the agency handled about 4,000 files, many including applications. Most came from the U.S. Environmental Protection Agency after the TNRCC obtained authorization to administer the National Pollutant Discharge Elimination System (NPDES) program for Texas.

Now the TNRCC is responsible for issuing permits that provide both state and federal authorizations to discharge wastewater—mostly treated sewage, industrial water, and storm water. About two-thirds of permit holders are municipal governments; the rest are from industry. With each application, the TNRCC examines the wastewater source and determines whether the receiving waters can handle the discharge under current water quality standards and technology-based requirements.

When the EPA files arrived, the TNRCC quickly determined that more than half of the applications could not be processed because the facilities were authorized under another permit, connected to another facility, no longer needed a permit, or were no longer in operation. From the remaining files, more than 1,600 permits were drafted, evaluated, and completed by January 2000 under the Texas Pollutant Discharge Elimination System (TPDES).

As a result, Texas applicants no longer have to deal with both state and federal systems, which means a saving to cities, counties, and businesses. And elimination of backlogged permit applications means permittees have current authorization to discharge under both the Texas Water Code and the federal Clean Water Act.

## Significant Dates in TPDES Program

- September 1998—TNRCC gets OK to administer NPDES in Texas.
- October 1998—Files and database arrive from EPA.
- March 1999—Applications no longer needing processing identified and removed.
- September 1999—Permits for backlogged applications drafted.
- October 1999—Draft permits filed for public notice and comment.
- December 31, 1999—Backlogged permits issued.

## Voluntary Cleanup Program

Jefferson at North End Apartments in Dallas, the Latino Learning Center in Houston, and San Antonio's Historic Gardens neighborhood—all these properties represent transformations on a grand scale. Few people who occupy them might guess that just a few years ago these sites were unfit for their current uses.

The location of the Dallas luxury apartment complex was vacant, contaminated land. Before the Latino Learning Center was on the drawing board, the three acres of east Houston property had been idle for 17 years; four decades of heavy industrial use had left low-level residues of hydrocarbons and metals in the soil and groundwater. And the San Antonio area now called Historic Gardens was formerly known as one of the city's worst neighborhoods. Its dilapidated houses were frequent targets of crime and arson.

All of these redeveloped properties were once brownfields—industrial or commercial properties that had been abandoned or underused because of environmental contamination or the perception of contamination.

The properties got a new lease on life because they were enrolled in the TNRCC's Voluntary Cleanup Program (VCP), and eventually were returned to productive uses as thriving commercial properties that contribute to the local job market and property tax rolls or as nonprofit centers that benefit the community.

Under the VCP, property owners can apply for the TNRCC's assistance in cleaning up contaminated sites. When the cleanup is completed to the



agency's satisfaction, the TNRCC issues a certificate of completion releasing non-responsible parties from liability for past contamination. At that point, the property's market value is enhanced, and it becomes attractive for reuse or resale.

Without VCP assistance, many of these properties sit idle and remain a blight—even a health hazard—in their communities.

Since the VCP began in September 1995, an estimated 1,000 sites have been enrolled; of those, about 400 have received certificates.

Based on customer survey data, the TNRCC estimates that redevelopment of these now-viable properties resulted in the creation of 8,200 jobs in Texas and the addition of \$204 million in property value to local tax rolls. In all, real estate sales from the VCP projects have topped \$211 million.

The TNRCC program provides a liability release for current owners who satisfactorily complete their cleanup assignments. While doing so, those owners are protected from enforcement actions by the TNRCC and the federal Environmental Protection Agency (EPA).

Furthermore, the TNRCC offers “risk-based” corrective actions, which provide increased flexibility. A risk-based cleanup strategy takes into account the degree of contamination as well as the anticipated exposure that might put human health and the environment at risk. In other words, the cleanup strategy depends on the property's intended use: land being converted into a playground would be required to undergo a much more rigorous cleanup than one planned as an industrial site.

Sometimes assessments deliver surprising news—test results show that the level of contamination was not as great as originally feared. This “perceived” contamination, based on activities that may have occurred generations ago, can thwart property development for years—until a site assessment is conducted.

The TNRCC also does free site assessments for cities and nonprofit organizations that have controlling interest in a brownfield site. Using a \$350,000 annual EPA grant, the agency conducts soil and groundwater sampling and does laboratory analyses to determine the scope of cleanup required. The TNRCC did 11 free brownfield site assessments in fiscal year 1999. Of those, four certificates of

completion have been issued, and the rest are still being evaluated.

The VCP has another feature that protects “innocent” property owners who have no control over the source of contamination because it occurs off-site, probably at a neighboring industry. The TNRCC will issue a certificate giving the owner immunity from liability. In fiscal year 1999, the agency issued 16 “innocent owner/operator” certificates, bringing the total to 79 issued since September 1997.

## Enforcing Environmental Laws

Ten years ago, illegal dumping in a residential area would have been viewed as an egregious civil violation but hardly a criminal act.

That was when environmental crimes were little more than a footnote in law enforcement manuals, and state and local agencies lacked the legal muscle to move decisively against offenders.

Since the early 1990s, however, law enforcement agencies and the courts have come to recognize intentional damage to the environment as a serious threat to the public's health and safety—a threat that should carry major consequences.

As a result, state and local law enforcement agencies are using a full arsenal of sleuthing techniques to pursue serious polluters. Investigators go on stakeouts, obtain fingerprints, do laboratory analyses, and track down financial assets. When necessary, they issue search warrants and make arrests.

State environmental criminal laws took shape in 1991 when the legislature boosted penalties for environmental violations. Until then, most offenses had been a class C misdemeanor, which was equivalent to a traffic violation.

A task force of state agencies was created 1991 with the TNRCC, Texas Parks and Wildlife Department, Attorney General's Office, General Land Office, Texas Railroad Commission, and Governor's Office to begin working together on mutual concerns. The group discovered its major strengths stemmed from having shared goals and broad areas of expertise and resources. Task force membership has expanded to include a dozen more state, federal, and local entities.

In the last five years of operations, the task force has been responsible for 90 convictions, including 74 individuals and 16 corporations, and court orders for \$29 million in criminal and civil penalties. The team's investigation into an unlicensed landfill in Dallas resulted in a 30-year prison sentence for the property owner.

The task force meets bimonthly to review referrals for investigations. At the TNRCC, many cases originate with the agency's civil enforcement program. If the environmental task force adopts a case, each member agency appoints an investigator, and the group consults with prosecutors to determine whether the case is better suited for state or federal courts.

The TNRCC's investigations unit has grown considerably: investigators now work out of the Austin headquarters and field offices in Arlington, Beaumont, Corpus Christi, El Paso, Houston, San Antonio, and Tyler. Last fiscal year, the TNRCC screened 115 referrals for environmental investigations.

Meanwhile, the Texas Environmental Enforcement Task Force has expanded its efforts into training police and sheriff's departments in environmental investigations. More than 500 officers, including more than a dozen from Mexico's environmental agency, have gone through the classes.

These three-day training sessions cover state and federal environmental statutes and emphasize the differences between criminal and civil cases. Primary instruction includes the investigative techniques most important to environmental cases, such as evidence collection and the use of scientific and technical expertise. Officers are led through reenactments of illegal discharges, such as a vacuum truck releasing grease into a city sewer or the illegal dumping of hazardous waste, such as solvents, and the execution of a search warrant.

Information on environmental crime prevention is also available at: [www.tnrcc.state.tx.us/legal/si/crime.html](http://www.tnrcc.state.tx.us/legal/si/crime.html).

## *Financial Status and Outlook*

### **Funding Sources**

The TNRCC is funded primarily from fee revenues. The agency was appropriated \$761.8 million for the

1998-99 biennium, of which \$614.8 million, or 80.7%, was from fee revenues. The remainder of the appropriations consisted of \$84.3 million, or 11.1%, from federal funds; \$46.6 million, or 6.1%, from General Revenue; \$14.0 million, or 1.8%, in interagency contracts; and \$2.1 million, or 0.3% in appropriated receipts.

For the 2000-01 biennium, the agency has been appropriated \$779.3 million, of which \$617.0 million, or 79.2%, is from dedicated fee revenues; \$97.2 million, or 12.5%, in federal funds; \$53.8 million, or 6.9%, in general revenue; \$10.9 million, or 1.4%, in interagency contracts; and \$0.4 million, or 0.1%, in appropriated receipts.

### **Funding Uses**

The TNRCC's operating budget for fiscal year 2000 is \$441.8 million. This includes \$40.2 million in carryforward of outstanding contracts and awarded grants from fiscal year 1999. This budget is almost equally divided between pass-through funds and funds for agency operations.

During the 1998-99 biennium, \$377.9 million was budgeted for pass-through funds. For fiscal year 2000, \$192 million is budgeted for pass-through funds. Pass-through funds are utilized primarily for grants and contracts in the agency's petroleum storage tank, Superfund, and municipal solid waste programs. The agency's water and air programs also pass dollars to local and regional units of government, but the amounts are not as significant as the waste programs.

For fiscal year 2000 the operating budget includes \$249.8 for agency operations. Salaries represent 49.8% of the amount budgeted for operations. Other operating expenses, which include supplies, utilities, rent, travel, training, and capital, represent 50.2% of the agency's operating budget.

### **Funding Trends**

Prior to the 2000-01 biennium, the agency had experienced a declining availability in general revenue. Although the agency continues a strong dependence on fee funds, additional general revenue was appropriated to the agency for fiscal years 2000 and 2001 for the water availability modeling program and determination of total daily maximum loads. However, even with this increase, the general revenue contributes only 6.9% of agency appropriations.



## Budgetary Limitations

During recent legislative sessions, state agencies have received ever-stronger mandates to ensure that opportunities for outsourcing are maximized, travel restrained, and salary dollars limited. In addition, agencies must assess their contractor workforce and in some cases count these contractors in determining whether or not the agency is exceeding the FTE cap established for it by the legislature. As a result, more time and attention is being focused on addressing these administrative issues, reducing the time and resources to focus on the agency's mission. With the booming Texas economy, it becomes increasingly difficult to fill positions within the salary limitations, and costs of contractors continue to escalate.

## Future Funding

As the TNRCC looks to the future, a number of areas of concern have been identified regarding the adequacy of the agency's long-term funding.

### Limitations of Funding Structure

The current fragmented funding structure of the TNRCC is not consistent with the agency's role as the consolidated, comprehensive state agency for environmental quality.

The existence of numerous dedicated funding sources impedes the ability of this agency and the legislature to allocate funds to address the environmental priorities and needs of Texas.

Improvements are needed in the TNRCC funding structure to increase flexibility in spending authority by broadening the use of revenues, balancing the dependence on pollution-based fees with more stable fee assessments, increasing the equity of fee assessment rates between smallest and largest operators, and simplifying the overall financial structure.

Changes such as these would give the legislature and the agency's executive management the ability to better match resources with priority needs and more fairly assess the costs of environmental programs to regulated entities and the public.

### Stability of Fee Revenues

Another concern related to funding availability is stability of fee revenues. Analysis of the agency's fee revenue streams reveals that some of the largest

fees are based on the volume of waste generated or air contaminants emitted.

Since reducing air emissions and waste generation is a principal focus of agency programs, the stability and adequacy of the agency's funding base could be jeopardized as the agency achieves its objectives.

However, work loads are not likely to decrease in proportion to reductions in pollution, because permitting and inspection depend more on the number of facilities being constructed or in operation than on the volume of pollution generated at a facility.

As a result, fee rates based on air emissions or waste generation may need to be increased in order to maintain current funding for necessary agency programs as emissions and waste reductions are realized.

### Air Quality

With over 83% of the population living in urban areas, many of which are expanding both in population and size, improving and protecting air quality in Texas continues to be a diverse and complex challenge which will place significant demands on the agency's resources.

Currently, four of the largest urban areas of the state do not meet federal standards for ambient air quality. In 1997, the EPA adopted a new, more stringent ozone standard. This standard has been challenged in federal court; however, EPA still plans to designate new nonattainment areas based on this standard. If so, Austin, San Antonio, Tyler, and Longview will be added to the current list of nonattainment areas.

A federal health standard for particulate matter has been in place since 1987. In 1997, EPA adopted a more stringent standard. Preliminary data suggests that Houston-Galveston and Dallas-Fort Worth may have difficulty meeting the new standard.

Expansion of air program activities will include the development of State Implementation Plans (SIP) for all nonattainment areas, enforcement of new or more stringent standards, and additional monitoring of ambient air quality. Planning and implementation will be particularly complex because the state will still have to meet the current one-hour ozone standard in some areas while simultaneously developing plans to achieve the new eight-hour ozone standard in other areas.

## Water Quality

During the 1998-99 biennium, the agency began an aggressive approach to development and implementation of Total Maximum Daily Loads (TMDLs). During the 76<sup>th</sup> legislative session, the agency was appropriated \$8 million for the TMDL program. It is anticipated that this level of funding will be needed for the next four bienniums as the agency strives to meet its goals of establishing 10 TMDLs each year.

Also, during the 1998-99 biennium, the agency successfully negotiated federal funding flexibility through the Performance Partnership Agreement and Performance Partnership grant with EPA. This allowed federal dollars to be re-allocated to the agency's highest priorities. The agency will continue to seek greater flexibility through this program; however, the dedications on the agency's fees currently limit the extent to which flexibility can be obtained.

As the drought persists in large sections of the state, resources must be shifted to address critical water rights enforcement and the delivery of water systems. The agency's ability to re-allocate resources to address these issues is limited.

## Pollution Prevention and Cleanup

The growing population and industrial activity that has accompanied the economic growth experienced in Texas in recent years poses new challenges. More people and more industry means more waste will be generated, heightening the need to more aggressively pursue source reduction strategies; encourage greater recycling and reuse; and improve and expand treatment, storage, transportation, and disposal options.

The agency continues efforts to remediate Superfund sites. Fewer sites are being listed by the federal government, leaving the more expensive sites for the state to clean up. When the federal government cleans these sites the cost to the state is 10% of the cleanup cost and all of the subsequent monitoring costs. This stretches the state dollars available to clean up sites. The agency will continue to work with the federal government to assume responsibility where appropriate. For state sites, the agency will continue to pursue responsible parties for cleanup of these sites. It is important that the funds received through cost recoveries, litigation, and settlements

be appropriated to the agency to clean up sites where the responsible party is not financially able to clean up the site.

The petroleum storage tank program is set to expire August 2003. During fiscal year 2000, the petroleum storage tank fund reached the unobligated balance of \$100 million. As a result, the TNRCC has stopped collection of the petroleum product delivery fee and does not anticipate the fee resuming until June 2001. The agency is evaluating the potential claims to determine if the revenue stream will be sufficient.

## Workforce

### Composition

While the TNRCC continues to receive additional responsibilities, streamlining efforts have allowed the agency to reduce its workforce without any appreciable reduction in service to its customers. The agency currently has an authorized workforce of 3,039 budgeted full-time equivalent (FTE) positions. To effectively and efficiently administer the state's environmental laws, the TNRCC relies on a competent and knowledgeable staff. Professionals and paraprofessionals make up more than 84% of the agency's entire workforce. The remaining 16% consists largely of administrative and administrative support positions. [Figure 1]

### Equal Employment

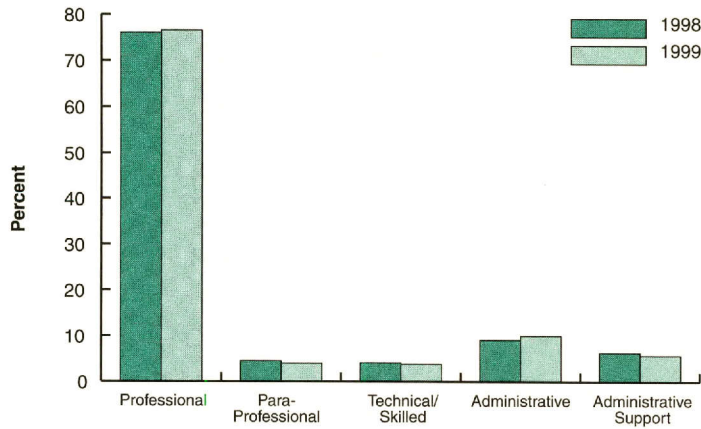
It is the policy of the TNRCC to provide equal employment opportunities to all employees and qualified applicants, regardless of race, color, national origin, sex, sexual orientation, age, disability, or veteran status.

The TNRCC is committed to recruiting, selecting, and retaining a diverse workforce that is representative of the state's labor force. The agency aggressively seeks to identify and recruit a diverse workforce. In addition, all employees are provided equal employment opportunity training to make them aware of state and federal employment laws and regulations.

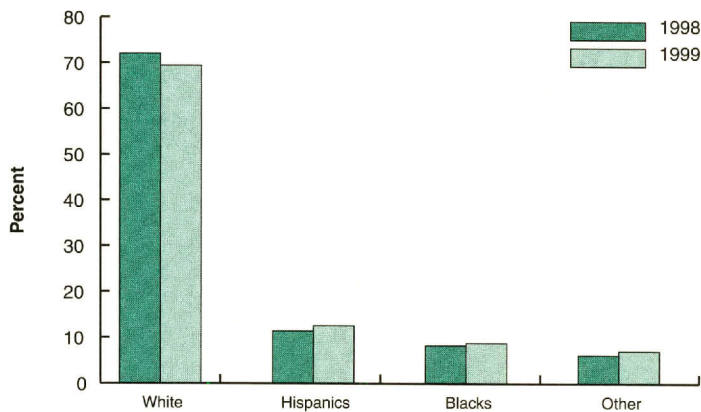
In fiscal year 1999, Blacks and Hispanics made up more than 24% of the agency's workforce. [Figure 2]



**Figure 1.**  
**Agency Workforce**



**Figure 2.**  
**Ethnicity of Employees**



## Agency Workforce Compared to House Bill 1976—TCHR Goals

Table 1-a provides an analysis of the agency's workforce compared to the hiring goals prescribed in the Texas Commission on Human Rights (TCHR) *Minority Hiring Practices Report* to the 76<sup>th</sup> Legislature. This report reflects the percentages representing Blacks, Hispanics, and females within the statewide civilian workforce, as published by the U.S. Equal Employment Opportunity Commission (EEOC), *Job Patterns for Minorities and Women*, 1996.

## Training

The TNRCC places a strong emphasis on retaining employees and enhancing their skills. Reflecting this emphasis, each employee is provided a clear job description, and performance appraisal is tied directly to employee development. Employee training and professional development courses are made available through the Human Resources and Staff Development Division.

## Recruitment and Retention

The purpose of TNRCC's recruitment and retention program is to identify, recruit, and retain a multitalented and culturally diverse professional and nonprofessional workforce that is representative of the citizens of Texas.

During fiscal year 2000, the agency was represented at 21 recruitment career fairs, seminars,

**Table 1-a**  
**Statewide Workforce (according to EEOC) Compared to TNRCC Workforce**

EEO JOB CATEGORY	BLACK		HISPANIC EEOC	FEMALE TNRCC	EEOC	TNRCC
	EEOC	TNRCC				
Officials/Administration	6%	7%	9%	10%	29%	34%
Professional	8%	8%	9%	13%	47%	42%
Technical	13%	19%	16%	14%	41%	36%
Para-Professionals	23%	17%	34%	28%	56%	91%
Administrative Support	16%	22%	21%	33%	71%	81%
Skilled Craft	11%	8%	23%	46%	10%	0%



and conferences throughout Texas, and 3 events out of state. The attendees of these events include mechanical, chemical, and civil engineers; environmentalists; accountants; auditors; and information technology professionals.

The agency is committed to developing employees and promoting employee development and initiative. The establishment of structured career progression reflects the agency's business needs and benefits the employees by having defined career advancement opportunities. Another retention tool is providing employees with opportunities for education, training, and varied types of work experience.

With a turnover rate of 13.5%, the TNRCC continues to struggle with the problem of recruiting and retaining qualified staff. The inability of the state to match private industry salaries is the principal cause of this problem. The TNRCC has attempted to retain staff by creating career ladders and career paths for agency staff, but success is limited when promotions are capped and travel funds are restricted.

## Historically Underutilized Businesses (HUBs)

It is the policy of the TNRCC to demonstrate a good-faith effort to provide procurement and contracting opportunities for all businesses including minority- and women-owned businesses. The TNRCC understands the difficult challenges that sometimes face minority- and women-owned businesses. The state's Historically Underutilized Business (HUB) program was designed to enhance agency commitment to recruiting HUBs and promoting their use in the procurement process.

## What Is a HUB?

A HUB is defined as a corporation, sole proprietorship, partnership, joint venture, or supplier with its principal place of business in Texas, which is formed for the purpose of making a profit and is otherwise legally recognized as a business organization under the laws of Texas, provided that at least 51% of the assets and 51% of any classes of stock or equitable securities are owned by one or more persons who are members of these groups that have been economically disadvantaged by business

practices of the past: Black Americans, Hispanic Americans, Asian Pacific Americans, Native Americans, and American women.

## Goals and Objectives

Through all reasonable means available, the TNRCC strives to award procurement and contracting opportunities to minority- and women-owned businesses. The agency's goal is to meet or exceed the percentages as indicated in Table 1-b, which also shows the performance of the TNRCC for the previous two years.

Table 1-b

### HUB Goals and TNRCC Performance

Category	TNRCC Performance		Goals for 2000-01
	1998	1999	
Special Trade	37.3%	9.0%	10.0%
Commodity Services	48.6%	39.1%	11.5%
Other Services	17.0%	17.5%	33.0%
Professional Services	9.0%	13.7%	18.1%

## HUB Goals and TNRCC Performance

The agency has been successful in achieving the state of Texas HUB goals for the commodity procurement category established as a result of the 1994 Texas Disparity Study. The TNRCC utilization of 39.1% exceeded the fiscal year 1999 state goal of 12.6% for the procurement category. Although the agency did not achieve the HUB goal of 20.0% utilization for professional services and 33.0% utilization for other services, the TNRCC continues to increase the actual percentages achieved. In fiscal year 1999 the agency increased the utilization of HUBs in the professional services category to 13.7% from 9.0% in fiscal year 1998. In the other services category, the agency increased HUB utilization from 17.0% in fiscal year 1998 to 17.5% in fiscal year 1999.

It is important to note that a significant number of high-dollar goods and services procured by the agency are quite specialized and are not typically available from HUBs. However, the TNRCC continues efforts to identify and locate certified HUBs to supply these goods and perform these services by actively participating in Equal Opportunity Forums and other related events.



## Strategies for Achieving HUB Goals and Objectives

The following procedures have been developed as part of the TNRCC's good-faith efforts to achieve the agency's HUB goals:

- preparing and distributing information on procurement procedures that encourages all businesses to participate in agency contracts;
- dividing proposed requisitions into reasonable lots;
- assessing bond and insurance requirements to reasonably permit more than one business to perform the work;
- specifying reasonable, realistic delivery schedules consistent with actual needs;
- ensuring that specifications, terms, and conditions reflect actual needs; and
- providing contractors with a reference list of certified HUBs for subcontracting.

In addition, the job evaluations of division directors and other personnel responsible for the procurement of goods and services will measure their good-faith efforts in attempting to increase HUB purchases.

The TNRCC will continue to increase the use of HUBs by educating agency staff on procurement rules and procedures; actively recruiting and educating prospective HUB businesses; promoting the General Services Commission (GSC) HUB Certification program; establishing and maintaining a HUB Web page; and providing representation at all available forums and events (including those sponsored by the GSC, by other units of state, local, and federal governments, and by elected officials) to inform prospective HUB vendors of TNRCC business opportunities.

The TNRCC will also design a HUB forum program modeled after the GSC program. As part of the TNRCC HUB program, HUB vendors will continue to make presentations to senior TNRCC management. TNRCC staff will ensure that subcontracting plans are appropriately included in contracts of which the value exceeds \$100,000; and they will actively evaluate contractor performance compliance with subcontracting plans as applicable in contracts of \$100,000 or more.

## Facility Infrastructure

### Agency Headquarters

The TNRCC central office complex is composed of six buildings over approximately 30 acres of land. There are approximately 541,500 square feet of office and laboratory space at the complex, with parking facilities for 2,100 vehicles.

### Regional Offices

The TNRCC maintains 16 regional offices, an estuary program office in Webster, a laboratory facility in Houston, and one satellite office in Stephenville. These offices total 215,039 square feet of office and laboratory space.

### Vehicles

The TNRCC maintains a fleet of approximately 440 vehicles, with 80% of them assigned to the field and the remaining 20% located in Austin. TNRCC field employees use vehicles primarily to conduct inspections, investigate complaints and to monitor air and water throughout the state. Vehicles maintained at the central office provide an economical means to visit and inspect facilities requesting permits from the TNRCC, and allow staff to attend meetings, conferences, and hearings throughout the state.

To maximize the use and efficiency of state vehicles, the TNRCC has established a Vehicle Replacement Schedule which requires vehicles in the field to be replaced if any of the following criteria apply: mileage over 115,000, over seven years old, unsafe to operate, or deemed uneconomic to repair and operate. As a result, the Field Operations Division typically needs to replace 33 to 35 vehicles per year.

Once a vehicle is retired from the field, it may be reassigned to the central office to conduct short trips within the Austin area, assist in building maintenance, mail room pickup and delivery, and receiving and delivering supplies.

### Capital Improvement Needs

The infrastructure needs of the agency have become greater as the buildings and the systems supporting these buildings have become older. The TNRCC has identified capital needs in two major areas: Repairs and Renovations and Capital Improvements.

The following capital improvements may be included in the Legislative Appropriations Request to the 77<sup>th</sup> Legislature as other agency funding needs and priorities allow.

### Repairs and Renovations

- Replace the carpets in buildings A & D.
- Install door hardware to meet ADA regulations for buildings B and C.
- Energy management system for buildings C & D.
- Replace the glass on the atrium of building C.
- Renovate the restroom facilities in building C to comply with ADA regulations.
- Install modulators to control the cooling system airflow for building A.

## Information Technology

### Planning

#### Resource Allocation

Information Technology (IT) planning for the agency is performed by the IT Steering Committee, with the support of the IT Work Group. The Steering Committee sets the strategic direction for all IT projects to support the agency's regulatory, environmental, and administrative programs.

The IT Steering Committee, led by the agency's deputy executive director, consists of agency executive management from each office. The committee makes policy decisions, sets priorities, and allocates resources; and is the ultimate decision-making authority for IT development projects.

The IT Work Group consists of representatives from each office and the Information Resources (IR) Division. This body supports the IT Steering Committee by developing IT standards, allocating resources for application maintenance, performing research, and making recommendations to the Steering Committee. The Work Group and the IR Division work together to improve agency information management through the use of available technologies.

The development of an Information Strategy Plan (ISP) in June 1995 was a significant planning initiative, which set the stage and direction for

TNRCC's IT initiatives. The ISP provided a thorough assessment of the agency's information needs and recommendations for strategic direction. It addressed the need for integrating the data from different programs into a comprehensive picture of the environment in Texas. To achieve this goal, the Information Strategy Plan Design and Implementation project is currently under way, with the development of the Central Registry system as the first phase of this project.

### Standards

With technology changing so frequently, there is an increased need to conform to industry standards, guidelines, and best practices for software development. The agency continues to use the guidelines in the Architecture Framework for Information Resources Management (AFIRM) published by the Department of Information Resources (DIR) for developing the technical architecture. In addition, the agency has adopted the Project Management Institute (PMI) standards for managing projects. Many of the project managers have received advanced training and obtained certification in software project management.

The TNRCC continues to use the COOL:Gen integrated computer-aided software engineering (I-CASE) tool to support software system development. All of the data models developed with the tool are documented and stored in a single location to ensure standards are followed. This facilitates the reuse of these data models by subsequent projects. Implementing new features and technologies incorporated in the tool, such as component-based development and middleware for web deployment, will continue to require resources and training.

### IT Infrastructure Configuration

TNRCC's current configuration consists of local area networks (LANs) and client/server-based UNIX systems connected via a wide area network (WAN) through 6 central campus buildings, 16 regional offices, and 7 satellite offices. The LAN systems are a mixture of Novell, UNIX, and NT file servers connected to approximately 3,500 IBM-compatible (Intel-based) desktop computers.



## Internet and e-Government

The emphasis of agency Internet efforts is to provide a secure mechanism for all TNRCC customers and environmental partners to obtain and submit data electronically. The TNRCC will be using the State of Texas and the United States Environmental Protection Agency (EPA) electronic information security and authentication standards to accomplish this goal. The Internet will be used to publish environmental information and information regarding the conduct of business with the agency in an easy-to-use, consolidated GIS-based interface. It will also be used to receive information from agency customers and other environmental agencies, including the electronic transfer of fees.

The TNRCC's e-government initiative is currently under way. The agency is a participant in the Senate Bill 974 pilot project. The mandate of Senate Bill 974, 76<sup>th</sup> Legislature, Regular Session, 1999, is the creation of a State of Texas portal to enable citizens to conduct business with the state electronically.

## Geographical Information System (GIS)

The TNRCC plans to increase its use of GIS as a way to integrate data on air, water, and waste. GIS affords a user-friendly interface through which stakeholders can obtain all environmental data through one source. This initiative is sustained and enhanced through the acquisition and use of highly accurate digital photographic map layers, acquired through cooperative procedures between state and federal agencies.

The TNRCC also plans to expand the GIS Internet delivery system as more geospatial data become available on the Internet. This technology will allow the public and environmental agencies to select and view environmental information based on geographic and topographic displays.

## Staffing Challenges

The TNRCC continues to struggle with the problem of recruiting and retaining qualified IT staff. The inability of the state to match private industry salaries is the principal cause of this problem. The TNRCC has attempted to retain and recruit staff by creating career ladders and career paths for IT staff, but success is limited when

promotions are capped and training and travel funds are restricted. Although the attempt by state leaders to provide an IT retention bonus was welcomed, the lack of funding for this initiative has limited the agency's ability to provide this benefit to the IT staff.

The staff turnover deprives the agency of personnel experienced in our systems, and staff shortages prevent overworked employees from introducing improvements in process and quality. New restrictions in hiring contractors could potentially lessen our ability to augment our staff with technical experts from the private sector.

## Current Projects

Several of the agency's major information technology projects are described in the following subsections.

### Central Registry

The Central Registry project will create a system containing a core set of data used by all of the agency's planning, permitting, enforcement, legal, administrative, remediation, and environmental functions. Each facility and site regulated by the TNRCC will be represented in the system by a unique identification number that allows the presentation of information across media (air, waste, water). The purpose of this project is to leverage common data maintained in various existing systems into one central location where the core data for regulated entities can be identified and retrieved by the agency's various automated systems. This project is the first step in implementing the agency's Information Strategy Plan (ISP).

The Central Registry project is being executed as part of an agency process called the Information Strategy Plan Design and Implementation (ISPDI). Other ISPDI efforts currently consist of planning the Final Consolidated Compliance & Enforcement Database (FCCED) system and evaluating the best technical architecture for access to the agency's legacy systems. The FCCED system will integrate the Office of Compliance and Enforcement data with the agency's Central Registry core data as a result of this Information Technology planning process. Additionally, the Office of Waste Management/Office of Water Resource Management Database

Consolidation project is using the ISPDI process to plan the best methods that will allow data integration of TRACS (Texas Regulatory and Compliance System), and other applications of the Office of Permitting, Remediation and Registration (formerly Office of Waste Management and Office of Water Resource Management). The ISPDI process also provides for project management oversight, Web- and component-based development standards and methodology documentation, as well as the establishment of a common agency GIS approach.

### **Final Consolidated Compliance and Enforcement Database**

The goal of this project is to develop an integrated database for Compliance and Enforcement data that streamlines and standardizes ongoing and new business processes mandated by state and federal legislative directives, provides easy access to compliance and enforcement information, and eliminates duplicate data tracking.

The scope of the project is to integrate over 30 individual databases in the agency that are used to monitor permit information, compliance and enforcement history, inspection tracking, enforcement tracking, and time management. In their existing condition, these systems cannot be linked to one another. Further, this project will result in the creation of an agency-wide electronic database to provide a means to integrate compliance and enforcement data from Field Operations, Enforcement, Spill Response, Complaints, Fee Payments, Penalty Payment, and other databases throughout the agency as identified during analysis into a single integrated cross-program database. This system will be integrated with the Central Registry system.

### **OWM/OWRM Database Consolidation**

This project was a joint project between the OWM (Office of Waste Management) and the OWRM (Office of Water Resource Management). Although these two offices no longer exist, this project is being developed under the Office of Permitting, Registration and Remediation (OPRR). The project is intended to upgrade databases currently maintained in antiquated and/or stand-alone desktop database systems utilizing outdated or obsolete technology. This project is one of the

components of the agency's Information Strategy Plan (ISP).

This project will also address the database needs associated with ongoing operations related to new organizational structures like the centralized waste remediation function. TRACS and other applications that support the activities of the OPRR will be reviewed to determine:

- the businesses processes to support the new organizational structures;
- a recommended architecture for the integration of data so that "sharing of selected permit obligations for regulated entities" will be possible among the OPRR, across the agency, and with outside organizations; and
- a recommended solution to address business functions not presently included in any waste/water system.

### **FCAA Title V (Federal Clean Air Act) Information Management System**

The FCAA Information Management System is a computerized system that supports the TNRCC implementation of the Federal Operating Permits Program (Title V) mandated by the Federal Clean Air Act Amendments of 1990. The program will codify all applicable state and federal air pollution requirements for a site into a single operating permit. The new system will also provide permit information to the public, EPA, local air pollution programs, and others. Three phases of this project have been completed and are in production. The majority of the work on the current phase includes incorporation of functionality for federally mandated monitoring requirements and the permit renewal process. Additional functionality or modifications may be required pending the outcome of the EPA's Part 70 Revisions to the Federal Clean Air Act.

### **Source Water Assessment and Protection Program**

Under the Safe Drinking Water Act (SDWA) Amendments of 1996, the TNRCC is required to submit a Source Water Assessment and Protection Program (SWAP) to the EPA. The state's program document, approved by EPA in November 1999, includes a description of methods to be used for delineating boundaries of source water assessment



areas and identifying the origins of regulated and certain unregulated contaminants in the delineated areas. SWAP's purposes is to produce a susceptibility analysis for the public water systems. The program document outlines a plan to accomplish the work, including a schedule and priorities for delineations and assessments. TNRCC has partnered with the United States Geological Survey to implement SWAP.

### **State of Texas Air Reporting System**

The State of Texas Air Reporting System (STARS) system is being developed to store all emissions inventory data from area, mobile, and point sources. In addition, it is a replacement for a large subset of the existing Point Source Database (PSDB). The database will be used to store, track, and retrieve information concerning the emissions, permit status, and attributes of equipment that generates or abates emissions. STARS will allow a consolidation of emissions data into one database, thus assuring that consistent and current data are used to support the urban airshed modeling and state implementation plan (SIP) activities mandated by EPA.

### **Water Availability Modeling**

The Water Availability Modeling system will support the requirements of Senate Bill 1, 75<sup>th</sup> Legislature, Regular Session, 1997. The TNRCC, the Texas Water Development Board, the Texas Parks and Wildlife Department as well as contractors in the private and academic sectors are participating in a joint effort to develop models that will help determine water availability, provide information about available surface water, and provide hydrologic information. This information will be used by the TNRCC, regional and state water planners, and individual water right holders to facilitate statewide decisions on water planning and drought management. This project is scheduled for completion in fiscal year 2001.

### **Water Utilities Database System**

The Water Utilities Database System (WUDS) will replace legacy systems from three functional areas within the Water Utilities Division. The legacy systems are incompatible with each other. Because of this incompatibility, many data attributes are

duplicated among these systems. The functional areas of the division have closely related business needs for these duplicated data as well as distinguishable business requirements. The goals of this project are to build a new system which will facilitate data sharing, re-engineer the data and business systems, and meet the data tracking and reporting requirements of the Safe Drinking Water Act (SDWA) National Primary Drinking Water Regulations, as agreed to in the State/EPA Primacy designation. The first phase of this project was put into production in February 2000.

### **Document and Work Management**

The Document and Work Management project consists of services to develop and implement an outsourced solution for the records and document management processes and workflow management for the TNRCC. The services require appropriate and available technological media based on proven successfully benchmarked processes, researched and documented throughout the public and private sector, with special emphasis on imaging and workflow technologies. The focus of the TNRCC is to replace a number of aging and heavily manual, paper-intensive systems with current technologies and improved linkages to both providers and users of data.

### **Successes**

In addition to the deployment of phases in the FCAA (Federal Clean Air Act) Title V Information Management System and the Water Utilities Database System projects, the following successes should be noted.

### **Year 2000**

This top-priority initiative addressed the risks to TNRCC information systems associated with the date change from 1999 to 2000. All major IR-supported and locally supported applications, databases, and third-party applications were inventoried in January 1998, then assessed and remediated and tested as required. Of the approximately 400 applications and databases, 10% were eliminated, replaced or combined with others; 45% were remediated; and 45% were determined to already be Y2K compliant. There were 616 personal computers, 36 workstations, and 117 servers replaced or

upgraded to make them Y2K compliant. The actual transition from 1999 to 2000 was accomplished with only minor problems. On the whole, the Y2K Risk Management Project was a resounding success.

### **Automated Records Management System Replacement**

The purpose of the Automated Records Management System (ARMS) Replacement project was to replace the legacy DOS-based system with one that is Windows-based, user friendly, and incorporates all of the desired functionality. The new Windows-based ARMS went into production in February 2000. It provides a file-folder-level inventory and index of the major record series maintained in the Central Records file rooms, resulting in a significant improvement in speed, accuracy, and efficiency of record tracking and retrieval. Migration of additional legacy data into this new system will begin in April 2000. The goal is to migrate necessary data from all TNRCC systems into ARMS so the TNRCC staff will only need to access one system, rather than several, to obtain information on all of the agency's records. With even further improvements to ARMS in the future, information will be accessible to both internal customers via the Intranet and external customers via the Internet. TNRCC staff will be able to enter information about new facilities directly into the system, which will enable the records management staff to quickly identify all records pertaining to regulated entities.

### **Mainframe to Client/Server Migration**

In 1994, the TNRCC made a commitment to migrate all Information Management Systems to an open systems environment. This entailed the conversion of databases and applications residing on proprietary platforms to an open platform or server-based environment. The migration of 12 application sets, totaling 880,000 lines of code from three mainframes, to a UNIX-based operating system was completed in October 1999. The majority of the code was converted from COBOL to MicroFocus COBOL, and databases were converted from hierarchical to relational database management systems.

### **Partnership 2000**

The Partnership 2000 and Integrated Grants Management System is a streamlined, electronic

solution that re-engineered and automated the grant management process for EPA and state partners. Phase I of the Partnership 2000 pilot project, completed in August 1999, included the development of an automated grants processing and tracking system between EPA and the states, with TNRCC being one of five state pilot agencies.

Phase II will implement the Integrated Grants Management System. This phase began in September 1999 and will continue through August 2001 as the TNRCC continues to expand the use of the system to 50% of the grant activity with EPA. In fiscal years 2002 and 2003, Phase III will move the agency to fully automated processing and tracking for all EPA grant processing from application through closeout.

### **New Initiatives**

The agency plans to continue to enhance and maintain the major software systems that support regulatory, environmental, and administrative programs, but a change in approach is needed. Traditionally, software systems were developed, enhanced, and maintained by in-house technical staff. This approach is no longer a viable option as it has become increasingly difficult to retain the trained senior-level technical staff required to maintain these large complex software systems. An "outsource" strategy is being developed to provide the continued technical support required to enhance and maintain the major software systems.

Also being developed is a strategy to replace the agency's aging small software systems that support administrative functions. Most of these small systems were developed over five years ago and no longer meet administrative requirements. In addition, these systems were developed in application software that is now obsolete and requires a high degree of technical support. The rewrite of these small systems will provide an improvement in functionality that will increase staff productivity and reduce maintenance time for technical staff.

The agency will also continue to develop plans for the enhancement and replacement of aging equipment in the technology infrastructure to allow for safe and secure processing, storage, and use of agency information.



## *State and Federal Legislative Issues*

### **The 76th Legislative Session**

This legislative session resulted in the enactment of new laws to implement important programs to improve environmental quality and allow the agency to operate more efficiently. In total, the legislature passed 169 bills that will affect agency operations.

Below is a partial list of bills enacted by 76<sup>th</sup> Legislature that will directly affect the operations of the TNRCC:

#### **House Bill 801**

HB 801 (an Act relating to public participation in certain environmental permitting procedures of the Texas Natural Resource Conservation Commission) establishes a new public participation system at the TNRCC by modifying standards and practices for contested case hearings. Contested case hearing procedures have also been revised. The scope of proceedings and discovery is limited by the new law. The bill requires the TNRCC to develop rules and procedures for public participation in certain permitting decisions. This bill requires several revised procedures such as: permit applicants are required to publish various public notices; and the executive director is required to hold public meetings on permit applications when there is substantial public interest or requested by a legislator.

#### **House Bill 1172**

HB 1172 (an Act relating to low-level radioactive waste) makes the state's definition of low-level radioactive waste compatible with the federal definition. This will help maintain Agreement State status with the U.S. Nuclear Regulatory Commission. The bill also caps fees that may be collected by the state from generators of low-level radioactive waste.

#### **House Bill 1283**

HB 1283 (an Act relating to general permits for the discharge of wastewater) allows the TNRCC to issue general permits for stormwater discharges, eliminates the 500,000 gallon per day cap for general permits, and gives TNRCC more flexibility in newspaper notice, notices of intent and renewals.

Reduces the number of permits that are required to be processed individually and expands the universe of authorizations eligible for general permits. The bill also allows the TNRCC to deny a discharger's authorization based on compliance history.

#### **House Bill 2815**

HB 2815 (an Act relating to the petroleum storage tank program; providing a penalty) and House Bill 2816 makes significant revisions to the petroleum storage tank program. House Bill 2815 establishes a compliance certification program, prohibits the delivery of fuel to noncompliant storage tanks, and extends certain deadlines for tank owner/operators to avoid paying increased deductibles on reimbursements of remediation costs. This bill also extends corrective action deadlines for eligibility for PST reimbursement and adds a requirement for the TNRCC to respond to an administratively complete reimbursement application within 90 days from the receipt of the application .

#### **House Bill 2816**

HB 2816 (an Act relating to the fee on delivery of certain petroleum products and to the petroleum storage tank remediation account), along with House Bill 2815, makes significant revisions to the petroleum storage tank program. House Bill 2816 reduces by 25% the fees assessed on bulk delivery of fuel; requires the TNRCC to provide quarterly reports to the LBB on the financial status of the Petroleum Storage Tank Remediation Fund; and extends the sunset date for the reimbursement program from 2001 to March 1, 2002. The bill also extends the collection of the fee on the bulk delivery of fuel to February 28, 2002.

#### **House Bill 2954**

HB 2954 (an Act relating to the application of the sunset review process to certain state agencies) abolished the Texas Low-Level Radioactive Waste Disposal Authority and transferred its powers, duties, obligations, rights, contracts, records, personnel, property, and appropriations to the TNRCC on September 1, 1999. The governor vetoed the appropriations for the Authority for the second year of the biennium. The TNRCC has received approximately \$1.2 million for fiscal year 2000 and

the authority to carry over any unexpended appropriations to fiscal year 2001.

### Senate Bill 7

SB 7 (an Act relating to electric utility restructuring and to the powers and duties of the Public Utility Commission of Texas, Office of Public Utility Counsel, and Texas Natural Resource Conservation Commission; providing penalties), which deregulates the electric industry, contains a number of provisions affecting the TNRCC, including the requirement that electric utilities apply for air quality permits by September 1, 2000, or cease operations by May 1, 2003. The bill also requires the TNRCC to establish regions within the state for allocation of air contaminants under the permitting program and sets emissions rates for the geographic regions. The bill also establishes emissions credit programs and requires a joint report by Public Utility Commission and the TNRCC.

### Senate Bill 766

SB 766 (an Act relating to the issuance of certain permits for the emission of air contaminants) establishes the procedural and control technology requirements for voluntary permits for grandfathered air emission sources. The bill establishes the criteria for de minimis sources exempt from permitting and allows the TNRCC to establish procedures for issuance of standard permits; authorizes the consolidation of numerous preconstruction authorizations into a single permit; creates a voluntary emission reduction permit for grandfathered facilities that must be applied for by September 1, 2001; allows a grandfathered facility to offset excess emissions through mitigation if a facility cannot reduce emissions sufficiently to meet the control requirements of a voluntary emission reduction permit; creates a multiple plant cap permit that would allow for a single permit across multiple plant sites that are controlled by a single person; and requires the TNRCC to impose an emissions fee for all emissions at major sources with grandfathered facilities (for which no application is pending by September 1, 2001), including emissions in excess of 4000 tons per year, and also requires the commission to treble emissions fees every year for emissions from any facility in excess of 4000 tons per year at those sources.

## Federal Legislative Issues

The United States Congress did not enact any laws significantly affecting the operations of the agency during this strategic planning period. However, the TNRCC will have to address several federal air, water, and waste policy issues in the near future.

### Air Policy Issues

Title I of the Federal Clean Air Act directs the EPA to establish national standards for commonly occurring air pollutants that pose threats to public health. These National Ambient Air Quality Standards (NAAQS) constitute national levels for acceptable concentrations of six specific pollutants in outdoor air. These six pollutants are called “criteria pollutants”:

- ground-level ozone (smog);
- particulate matter (PM);
- lead;
- nitrogen dioxide (NO<sub>2</sub>);
- sulfur dioxide (SO<sub>2</sub>); and
- carbon monoxide (CO).

Once an area has violated the set standard for any of these pollutants, the EPA can designate the area as a “nonattainment area” for that pollutant.

While Texas meets the national standard for most criteria pollutants, two of these criteria pollutants—ozone and particulate matter—are of concern in at least some portions of Texas.

### Ozone and the One-Hour Ozone Standard

The current standard for ozone, as written by the EPA, is 0.12 part per million (ppm), which equals 120 parts per billion (ppb). The ambient air quality monitors measure ozone in parts per billion. An area violates this standard when One-hour readings at any one monitor equal or exceed 125 ppb more than three times during any consecutive three-year period.

### The EPA’s Proposed Eight-Hour Ozone Standard

In July 1997, the EPA adopted new health-based air quality standards for ozone and particulate matter. The new ozone standard is 0.08 ppm (80 ppb) based on eight-hour measurements. An area violates this standard when the three-year average of the fourth-highest daily maximum eight-hour ozone concentrations equals or exceeds 85 ppb.



However, this new ozone standard was called into question through challenges filed by industry and others. On May 14, 1999, a three-judge panel of the Court of Appeals for the District of Columbia Circuit held that EPA's application of the Clean Air Act regarding promulgation of this new standard, as applied and absent further clarification, is unconstitutional because it "affects an unconstitutional delegation of legislative power." The circuit court left the new ozone standard in place but determined that the EPA may not enforce that standard.

In June 1999, the EPA filed a petition to have key aspects of the case reheard. On October 29, 1999, the circuit court denied the EPA's request for a rehearing. The EPA has appealed this decision to the Supreme Court.

### **One-Hour Ozone Standard vs. Eight-Hour Ozone Standard**

In Texas, Beaumont–Port Arthur, Dallas–Fort Worth, El Paso, and Houston–Galveston are currently designated by EPA as being in nonattainment of the one-hour ozone standard. Although the EPA has not yet designated areas that are in nonattainment of the eight-hour ozone standard, the following three nonattainment areas have already exceeded this standard: Beaumont–Port Arthur, Dallas–Forth Worth, and Houston–Galveston. In addition, the Austin, San Antonio, and Tyler–Longview–Marshall areas could be designated nonattainment under the eight-hour standard.

Although the Houston–Galveston, Dallas–Fort Worth, and Beaumont–Port Arthur areas have exceeded the new eight-hour standard, these areas must still come into attainment of the one-hour standard before that designation is removed. Also, the rules associated with the one-hour standard offer less flexibility than is allowed under the rules proposed for the eight-hour standard.

### **Transportation Conformity**

Another issue arising out of the D.C. Circuit Court decision on EPA's eight-hour ozone standard is transportation conformity. The Clean Air Act requires that transportation improvement projects conform to each individual state's plan to achieve the federal air standards. Since the Court decision has restricted EPA's ability to enforce this standard,

it has caused significant confusion as to whether EPA can designate areas as not attaining the eight-hour standard, thus triggering the transportation conformity requirement. The significance of this issue is that federal highway funds would be withheld in those areas that are designated but do not have conforming transportation plans.

The EPA's Office of Air Quality Planning and Standards has prepared a proposal, the Consolidated Emissions Reporting Rule (CEER), expected to be published in the Federal Register in April 2000, to change emissions inventory reporting requirements for the states. If the CEER is implemented, states will be required to develop and report statewide emissions inventories by county of criteria and hazardous air pollutants for point, area and mobile sources. While point source data is currently collected annually by the TNRCC, statewide area and mobile source emissions data are not collected by the TNRCC. The new reporting requirements, expected to begin next year, may require additional resources.

### **Particulate Matter**

Particulate matter is a complex mixture of solid and liquid particles suspended in the atmosphere.  $PM_{10}$  is particulate matter 10 microns or less in diameter—about one-seventh the width of a human hair.  $PM_{2.5}$  is fine particulate matter 2.5 microns or less in diameter.

The EPA adopted a  $PM_{2.5}$  standard to focus on smaller particles that may be responsible for adverse health effects because they can reach the lower regions of the human respiratory system. Areas are scheduled to be designated as attainment or non-attainment once the EPA has received three years of monitored data (in the 2002–04 time frame).

Preliminary monitoring data indicates that the Houston–Galveston and Dallas–Fort Worth areas may have difficulty meeting the new  $PM_{2.5}$  standard.

### **Water Policy Issues**

#### **Drought Management**

Texas is experiencing its most severe drought since the summers of 1996 and 1998. The climatic drought affecting Texas and the southern United States is predicted to remain through the summer of 2000. Statewide reservoir storage is, for the seventh consecutive month, at a 28-year low for the month of



May. While spring rainfall has periodically alleviated soil moisture problems to varying degrees around the state, stream and river flows are generally well below normal levels. As a result, reservoir levels are expected to remain low.

The TNRCC promotes the use of conservation and drought management by requiring water conservation and drought management plans from applicants for new or amended water rights, from wholesale and public water suppliers, and from large water rights holders. These plans are reviewed to ensure that water conservation goals are incorporated into long-range water demand forecasts.

Of the more than 4,500 water supply systems in Texas, the TNRCC Drought Data Base 2000 indicated that 89 public water systems have imposed voluntary or mandatory water use restrictions as of May 2000, with only the city of Graford in Palo Pinto County in danger of losing its water supply.

TNRCC staff meets monthly with other state agencies at the Drought Preparedness Council to identify and track areas at risk of experiencing water shortages, to coordinate technical assistance, and to develop the State Drought Preparedness Plan.

To assist public water suppliers dealing with severe water supply shortages or utility system capacity limitations, the TNRCC has created a Critical Facilities Team. The Critical Facilities Team is composed of experienced agency personnel devoted to responding to the drought. The agency created the team within existing staffing levels and budget by rearranging priorities and resources.

The Public Drinking Water Section is assigning top priority to processing emergency applications related to the drought. The Water Rights Permitting and Availability Section has sent letters to all water rights holders alerting them to the fact that junior water rights might be suspended as local conditions require, to enable continued diversions by senior water rights holders. Any applications for emergency water rights will be the top priority. The Field Operations Division is monitoring streamflow conditions and is prepared to enforce water rights in accordance with agency rules and state law.

Additional drought response and mitigation functions are distributed across the agency. TNRCC management will continue to monitor the progress of the drought and reevaluate priorities between

drought and ongoing program areas. While agency resources are generally adequate to conduct the necessary drought-related functions, the removal of funding restrictions on dedicated resources would enable a more flexible and, in some cases, a more timely and effective response to drought-related problems.

### **Total Maximum Daily Loads (TMDLs)**

The TNRCC implements the statewide approach for watershed management in Texas to improve the efficiency, effectiveness, and continuity of water quality management programs. The state's process for managing water quality focuses on assessing watershed conditions for all waters of the state and implementing solutions where improvements are necessary. The primary goal is to ensure that management efforts provide a safe, clean, affordable water supply and healthy aquatic ecosystems for Texas. TMDL's are a major component of the approach, which addresses impaired or threatened streams, lakes, and estuaries with the primary objective of restoring and maintaining the beneficial use of those water bodies.

Consideration should be given by the Environmental Protection Agency (EPA) to develop a TMDL rule that is flexible enough to ensure that the states can make reasonable progress on TMDLs without negatively affecting resources and implementation of other high-priority water quality programs. Alternative state criteria on Water Quality Standards, including site-specific flexibility, as EPA develops the national framework for nutrient standards should be considered. Also, implementation issues to assure that the nutrient standards can be reasonably attained should be reviewed.

### **Pesticide Management Plan**

The TNRCC is in the process of adopting an approved Pesticide Management Plan (PMP). The issue is that under its authority granted by the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), EPA is planning to release proposed rules for the development and implementation of management plans as a condition for the legal sale and use of identified pesticides. When the rules go into effect, certain pesticides will be prohibited for sale and use within a state that



does not have an EPA-approved pesticide-specific PMP, potentially affecting a large segment of a state's agricultural community who are dependent upon these pesticides.

## **Waste Source Policy Issues**

### **Superfund Reauthorization**

The federal Superfund program pays most of the costs of cleanup of a federal Superfund site. Federal legislation stipulates that the state must pay for a portion of the cleanup cost; demonstrate an adequate, 20-year disposal capacity; be responsible for the site's future operation and maintenance; and take title to any property that must be acquired to implement the remedy.

The biggest challenge facing the Superfund program is maintaining sufficient funding to clean up priority sites. Although Superfund programs in Texas have been fully funded with state and federal monies, that situation could change since the federal Superfund taxing authority expired several years ago, and the law authorizing the Superfund has not been reinstated. So far, Congress has taken no action on reinstating a stable funding mechanism to deliver cleanup money to the states. If federal funding is not renewed, the burden will fall on the state to fund cleanup at Texas' most seriously contaminated sites.

### **Encouraging Cleanups of Brownfields**

The government should consider exempting remediation wastes from Resource Conservation and Recovery Act (RCRA) in order to encourage cleanups of Brownfields, which are land that has been used previously for industrial and/or manufacturing activities that may have residual contamination. Many cities want to redevelop and revitalize such areas, particularly if the area is downtown, instead of having businesses migrate out-of-town to pristine land. Currently, remediation waste, including contaminated media, may become regulated as hazardous waste as a result of certain cleanup actions. This can be a problem in redevelopment, where contaminated materials when excavated and managed are considered hazardous waste but are not considered hazardous waste if left in place. These requirements may slow down the cleanup or cause parties to back out of the redevelopment projects.

## **Significant Court Cases**

### **Decided Cases—Air**

**F/R Cattle Co. v. TACB, 866 S.W.2d 200 (Tex. 1993)**

This case was an appeal of an enforcement action brought by the Texas Air Control Board under the Texas Clean Air Act. The company operated a confined animal feeding operation in Erath County and sought to avoid all regulation under the Texas Clean Air Act by alleging they were a "natural process" under the Act's definition of "air contaminant." After appeal, the Third Court of Appeals upheld the company's position.

It was the judgement of this court that the determination of what is a natural process is a factual matter to be determined on a case-by-case basis. The TNRCC's Chapter 321, Subchapter B rules continue to regulate confined animal feeding operations (CAFOs) for air quality, and no challenge to the rules has been initiated on the basis of this opinion.

**Tejas Testing Technologies I and II v. TNRCC, Civil No. AU:96-CA-70-JRN, U.S. Distr. Cr. Western District; 03-97-00497-C, Third Court of Appeals**

This was a significant case where TNRCC was sued based on the legislature's cancellation of the automotive inspection and maintenance (I&M) program. The Tejas companies were the TNRCC contractors for running this program.

This case caused the TNRCC to pay substantial monetary damages of approximately \$140,000,000 plus interest.

### **Decided Cases—Waste**

**Hunter Industrial Facilities, Inc. v. TNRCC et al. (910 SW2d 96; Tex. App.-Austin 1995, writ denied)**

Hunter Industrial Facilities, Inc. appealed TNRCC's decision overruling the Proposal For Decision and denying applications for hazardous waste permits, including injection wells. The Court of Appeals upheld TNRCC's decision as not arbitrary and capricious, and not in violation of the Texas Solid Waste Disposal Act.

This case provides the agency with the following guidance: 1) Texas Health & Safety Code Section 361.0832, which provides grounds for when the

commission may “overturn an underlying finding of fact” or “a conclusion of law,” was intended by the legislature to restrict the commission’s discretion to reject an (examiner’s) underlying findings of fact and conclusions of law; and 2) “Substantial or obvious public need” in Section 361.114 (relating to need for additional hazardous waste disposal capacity) is a sufficiently definite standard without development of guidelines as to what meets that standard.

**Ex Parte Milton Dick Elliott, 973 S.W.2d 737 (Tex. Crim. App. 1998)**

This Court of Criminal Appeals case was based on prosecution for Texas Solid Waste Disposal Act (TSWDA) violations and resulted in a June 1998 opinion that the TSWDA definition of hazardous waste, as wastes identified by EPA as hazardous, did not result in prospective statutory adoption of any changes to the EPA regulatory definition of hazardous waste. The court found instead that the legislature intended to incorporate by reference the federal regulatory definition of hazardous waste in existence on July 30, 1991, and did not incorporate federal regulatory changes adopted after that date.

This opinion may put into doubt whether TNRCC’s rules that adopt federal rules by reference operate prospectively.

## **Decided Cases—Water**

**City of Stephenville v. Texas Parks & Wildlife Dept., 940 S.W.2d 667 (Tex. App.—Austin 1996, writ denied)**

Landowners and the Texas Parks and Wildlife Department brought action seeking judicial review of the Texas Water Commission’s (TWC’s) decision to grant the City of Stephenville’s application for a permit to construct a dam and reservoir on a river. The trial court ordered the TWC to deny the permit. The Court of Appeals remanded the cause to TWC with instructions that the applicant re-file its application for the permit to be considered. This followed a finding by the court of actual impropriety in the TWC’s permit process; specifically, a promise of favors to a TWC commissioner, and a decision on rehearing motions made without public meeting. The court found that landowners and the Parks and Wildlife Department were substantially harmed by the procedural improprieties.

This case established that where there is evidence and findings made as to actual impropriety in the permit process, an applicant may re-file its application for the permit to be considered. The court stated that such action by the court in allowing the applicant to re-file did not in any way improperly usurp agency authority.

**Quick v. City of Austin 4SW3d 193 & 7SW3d 109**

Owners of land whose value had allegedly been adversely affected by watershed pollution control ordinance brought action against the city, seeking a declaratory judgment that the ordinance was void. The District Court rendered judgment striking the ordinance as void; and, on appeal, the Court of Appeals held: (1) the ordinance was not void pending approval by TNRCC; and (2) the ordinance did not usurp TNRCC’s authority.

This case determined that a municipal water pollution and abatement program is not void pending approval by TNRCC. Also, a watershed pollution control ordinance in mandating that levels of contaminants not increase, does not impose numerical standards so as to violate Water Code section, providing that TNRCC has sole and exclusive authority to set water quality standards for all water in the state. The new Part VI of the Supreme Court opinion provides the following guidance: The general savings clause of the Code, Construction Act applies to the repeal of the “regulatory freeze” act (Texas Government Code, Section 481.143). This would affect TNRCC applications under non-federally authorized programs filed before the repeal of Texas Government Code, Section 481.143 (9/1/97) and would allow them to be processed under TNRCC rules in effect at the time of their filing.

**Texas Rivers Protection Ass’n v. TNRCC, 910 S.W.2d 147 (Tex. App.—Austin 1995, writ denied)**

This action challenged a water diversion permit granted to a river authority by TNRCC. The District Court upheld the permit. On appeal, the Court of Appeals held: (1) the permit was not invalid on the grounds that it contemplated aquifer recharge; (2) the permit was not invalid on the grounds that it listed water uses as “municipal and recharge;” (3) the permit was not improper on the



grounds that water injected into the aquifer became groundwater outside the control of the state due to the rule of capture; (4) the permit was not invalid for failure to require diligent construction of diversion and storage facilities, or for allowing cancellation of rights to divert any water not subject to supply contract 17 years after issuance of permit; and (5) the permit was not invalid on the grounds that the river authority derived its right to appropriate water from a superior claimant, or on the grounds that the superior claimant never modified its permit to reflect subordination.

This case provides guidance on standing in water rights cases. Also, it provides law on aquifer storage and retrieval projects. The legislature has since added law to Chapter 11 clarifying requirements for these projects.

**Texas Water Commission and City of Arlington, Texas v. City of Fort Worth, 875 SW2d 332 (Tex. App.—Austin 1994)**

The City of Arlington filed a petition for review of a wholesale contract rate for delivery and treatment of wastewater to the City of Fort Worth's treatment facility. The Texas Water Commission concluded that it had jurisdiction over Arlington's petition under Section 13.043(f) of the Texas Water Code and set a rate. Fort Worth appealed in District Court. The District Court found that the commission had jurisdiction to hear Arlington's appeal of its wastewater rate, but the commission could not modify the contractual rate unless it first found that such a rate would adversely affect the public interest. The appellate court affirmed the District Court's decision.

This case caused the TNRCC to amend its rules in 30 TAC Chapter 291, Subchapter I, to require a bifurcated appeals process whereby the commission would first make a determination as to whether the wholesale contract violated the public interest, and if it did, then the commission would set a rate. These rules were effective September 20, 1996.

**ACCORD Agriculture, Inc. v. TNRCC, (No. 03-98-00340-CV) Third Court of Appeals**

ACCORD challenged TNRCC's permits-by-rule for confined animal feeding operations (CAFOs) (Subchapter K of Chapter 321). The district court

invalidated Subchapter K for failure of the commission to state a reasoned justification for the rule in its order adopting it. The court did not rule on whether TNRCC had the authority to adopt Subchapter K.

The TNRCC has amended Subchapter B to regulate CAFOs through a permit by rule that is substantively similar to Subchapter K.

**Bart Sipriano, Harold Fain, and Doris Fain v. Great Spring Water of America, Inc. a/k/a Ozarka Natural Spring Water Co. a/k/a Ozarka Spring Water Co. a/k/a Ozarka; from Henderson County; 12th district (12-97-00044-CV, 973 SW2D 327, 01-29-98)**

Affirmed the rule of capture for groundwater adopted in 1904 in *Houston & Texas Central Railway Co. v. East*, noting that recent provisions in Senate Bill 1, 75<sup>th</sup> Legislature, Regular Session, 1997, had not been tested and that groundwater regulation is a legislative function.

This ruling affirmed the current statutory and regulatory practice (reflecting authority to regulate appropriation of state water, defined by law as surface water), including the statutes and rules adopted under Senate Bill 1.

## Pending Cases—Air

**American Trucking Associations v. EPA, Cause No. 97-1440, D.C. Circuit**

A decision by the federal D.C. Court of Appeals remanding the 1997 revised particulate matter and ozone National Ambient Air Quality Standards (NAAQS) to EPA for further consideration, and vacating one of the standards (PM<sub>10</sub>). The court subsequently ruled that the PM<sub>2.5</sub> standard, like the 8-hour ozone standard, should remain in place, but not be enforced.

The impacts of this decision on TNRCC operations are speculative at this point. However it is clear that some regulation of particulate matter and ozone will continue. The question will be at what levels and averaging times. The other significant outstanding issues include: (1) whether EPA can require designations of areas as in "nonattainment" of the standards; (2) how much discretion EPA can have in rule-making; and (3) whether EPA can sanction states for failure to submit information.

**Status:**

EPA has appealed the decision. The United States Supreme Court has not decided whether to hear the appeal.

**State of Michigan v. Environmental Protection Agency; No. 98-1497**

The State of Michigan sought a motion for a partial stay of the submission of revised State Implementation Plans until April 27, 2000.

Texas is not at this time subject to the requirement to control nitrogen oxides to assist another state's attainment. The case could, however, impact Texas if the EPA reopens modeling in order to expand this requirement to include Texas.

**Status:**

The court stayed the application of EPA rules requiring certain Northeastern states to adopt rules to reduce nitrogen oxides in attainment areas in order to assist nonattainment areas in achieving the ozone NAAQS. The court issued an opinion on March 3, 2000. The court upheld almost all of EPA's actions concerning the SIP call. The substance of the case has not yet been decided by the court.

## Pending Cases—Waste

**TSP Development, Limited**

In the Summer of 1998, TNRCC returned to TSP its industrial nonhazardous landfill application due to a county ordinance prohibiting the proposed landfill siting. TSP appealed TNRCC's decision to remand the application, in part based on the legislature's 1999 re-enactment (House Bill 1704; Texas Government Code, Chapter 245) of the previously repealed regulatory freeze statute (formerly Texas Government Code Section 481.143). TSP's motion for summary judgment was denied and TNRCC's decision was affirmed. TSP appealed.

This case has the potential of affecting TNRCC's interpretation of 30 TAC Section 305.50(2), which provides that the TNRCC shall review applications for compliance with applicable federal, state, and local statutes.

**Status:**

The Third Court of Appeals heard arguments in January 2000.

**IT-Davy vs. Texas Natural Resource Conservation Commission, Cause No. 98-07589, 200th Judicial District Court, Travis County**

IT-Davy has claimed approximately \$7.5 million in costs due to change orders under a remediation contract at the Sikes Federal Superfund Site in Harris County.

If IT-Davy wins, the case would provide additional case law on the subject of a state agency's sovereign immunity on a contract suit because IT-Davy did not have legislative permission to sue the TNRCC.

**Status:**

The Attorney General's (AG) Office, on behalf of the TNRCC, filed a Plea to the Jurisdiction. The judge and the Third Court of Appeals have ruled against the TNRCC on this jurisdictional claim. The AG has now appealed the matter to the Texas Supreme Court.

## Pending Cases—Water

**City of Austin vs. Horse Thief Hollow Ranch, Ltd. et al.; Cause No. 98-00248**

Judge Paul Davis, Judge, 200<sup>th</sup> District Court, Travis County, Texas, granted the City of Austin's Motion for Summary Judgment and found that Texas Water Code Section 26.179, which authorizes the creation of water quality protection zones, is unconstitutional as a matter of law.

The TNRCC's responsibilities under Texas Water Code Section 26.179 and 30 TAC Chapter 216 would cease. These include review and approval of water quality plans for water quality protection zones, collection monitoring results from the zones, and enforcing water quality protection measures.

**Status:**

The case is on appeal with the Texas Supreme Court, and was argued on December 9, 1998. It is still pending as of March 1, 2000.

**Martha Cotera v. State of Texas; Civil No. A-98-CV-346 JN, United States District Court for the Western District of Texas Austin Division**

Cotera sought an injunction against the state for violating the Federal Voting Rights Act in enacting Texas Water Code Section 26.179, authorizing the creation of water quality protection zones.



Although the TNRCC was not directly named in *Cotera*, the TNRCC has responsibility under Texas Water Code Section 26.179 to approve water quality plans for water quality protection zones, which would allow the zones to be created or add land to the zones. The outcome of the *Horse Thief Hollow Ranch* appeal will determine whether the *Cotera* case will continue. One potential outcome is that the TNRCC could be enjoined from administering or implementing Texas Water Code Section 26.179 until the preclearance is obtained under the Federal Voting Rights Act Section 5.

**Status:**

The Circuit Judge denied the Plaintiff's request for a preliminary injunction, and stayed the proceedings pending the disposition of the appeal in the *City of Austin, Texas v. Horse Thief Hollow Ranches, LTD., et al.*, Case No. 98-0685.

**Sierra Club, et al. v. EPA, (No. 99-60011) 5<sup>th</sup> Circuit Court of Appeals** Appellants filed an appeal of EPA's approval of the Texas Pollutant Discharge Elimination System (TPDES) program. Texas has intervened in the case.

The potential impact is withdrawal of EPA approval for the TNRCC to administer this program. However, it appears the Sierra Club appeal has been settled. The second petition filed by an individual plaintiff on different grounds has not been settled.

**Status:**

The briefing schedule was extended for settlement negotiations.

**United States Bureau of Reclamation v. Elephant Butte Irrigation District CV 97-0803, MV/RLP U.S. District Court, District of New Mexico**

The bureau has sued the New Mexico District, the El Paso County Water Improvement Dist. No. 1, and the City of El Paso, claiming that the water in Elephant Butte Reservoir belongs to the bureau. The State of Texas has moved to intervene.

If there is an agreement or a ruling concerning the bureau's ownership of the water rights in Elephant Butte, this would impact the Texas adjudication in the Upper Rio Grande which is pending at the State Office of Administrative Hearings. If it

limits the State of Texas' ownership or right to regulate water in the bureau's reservoirs, this case could have more far-reaching results.

**Status:**

Intervention has not been ruled on. The parties have been in mediation for over a year.

## Pending Cases— Enforcement

**Harmon Industries, Inc. v. Carol Browner**

This is a case decided by a Missouri federal district court, which held that EPA did not have authority to "overfile" (that is to bring a separate, additional action against Harmon) where the state had already brought an enforcement action against Harmon for the same violations.

This ruling, if again affirmed, would significantly affect EPA's enforcement options, provided that the relevant statute (the Resource Conservation and Recovery Act) and Memorandum of Agreement/Memorandum of Understanding was consistent with the situation which arose in Harmon. This would eliminate duplication of enforcement where the State of Texas had already pursued an enforcement action. A similar case, in Colorado may be considered by the 10<sup>th</sup> Circuit Court of Appeals.

**Status:**

The court ruled that because of the RCRA statute and the Memorandum of Agreement between EPA and Missouri, EPA's only recourse was to withdraw Missouri's authorization. This case was appealed by EPA, and various entities, including the State of Texas, filed amicus briefs in support of the court's ruling.

The Eighth Circuit Court of Appeals affirmed the lower court ruling, and EPA has filed a motion for rehearing, requesting that all of the appellate judges in the Eighth Circuit hear argument on the issue.

**Texans United For a Safe Economy Education Fund, et al. v. TNRCC; Cause No. 98-11008, 126<sup>th</sup> Judicial District Travis County**

This case arose out of an enforcement case where the TNRCC obtained an Agreed Order assessing administrative penalties of \$1,055,425 in August 1998 against Crown Central Petroleum

Corporation. The citizens group Texans United sued the TNRCC, appealing the Agreed Order claiming that its members are aggrieved by the agency's alleged failure to assess a penalty against Crown with an appropriate economic benefit component. Texans United was not a party to the Agreed Order and the agency does not recognize the group as a "person aggrieved."

This Agreed Order could give judicial recognition as a "person aggrieved" to groups like Texans United and would entitle them (and potentially other citizens and environmental groups) to appeal enforcement orders and penalties assessed by the commission.

**Status:**

TNRCC has filed its response, and the parties are awaiting the assignment of a judge.

## *Serving Geographic Regions*

The environmental laws of Texas are designed to protect and preserve the unique and diverse geographic regions of the state. *Volume II, State of the Texas Environment*, has been developed in conjunction with the Strategic Plan for 2001-05 to examine the critical environmental issues that face Texas both statewide and by regions. The report in Volume 2 describes the current environmental conditions, identifies necessary improvements, and develops strategies to achieve desired results.

A better understanding of the complex relationships within our environment is crucial to developing effective strategies to protect and conserve our precious natural resources. A variety of indicators are used to characterize the quality and condition of our air, water, and land resources to develop a better understanding of existing and potential environmental conditions. Volume 2 also describes the agency's current efforts to meet these challenges and our "agenda for the future," which highlights key initiatives that may be implemented over the coming years.

We encourage you to spend time with Volume 2 to learn more about the complexities of environmental protection in Texas and to better understand the difficult choices facing decision makers when they try to address many of the environmental issues both statewide and by region.

## *Performance Benchmarking*

The TNRCC continually strives for higher levels of excellence and efficiency by reviewing agency operations and comparing ourselves to other successful states for many years. As a result of these efforts, the TNRCC is now recognized by other state environmental agencies and the federal Environmental Protection Agency (EPA) as a leader in the administration of federal programs and the use of performance measures to analyze the success of our programs.

## *Improved Rule-Making Process*

An example of how the agency conducted performance benchmarking was the recent review of the agency's rule-making process. In November of 1999, the commissioners and the executive director asked the agency to improve the rule-making process. The goal was to produce a more streamlined and efficient process for developing environmental rules.

Rule making forms the very foundation of a regulatory agency. Rules define our priorities, strategies, and procedures for administering our laws. The implementation of these rules also tells us whether we are successful in meeting our environmental goals, our federal commitments, and our state legislative mandates.

The Office of Environmental Policy, Analysis and Assessment coordinated this benchmarking process by enlisting the support of a representative from each office of the agency. This group first mapped the current rule-making process, then identified problems with this process, analyzed resources currently involved in this process, and developed an implementation plan to improve the rule-making process.

This group was able to develop new procedures that are anticipated to reduce the total time to complete a rule making from 47-57 weeks down to 31-40 weeks. These changes in procedures should also allow the agency to meet this standard while freeing up five full-time employee positions for use in other agency priority initiatives.



## Streamlining Investigations

An example of using the principles of performance benchmarking on an ongoing basis is the use of Technical Program Committees by the Field Operations Division to streamline and improve all programmatic functions. The Field Operations Division has established committees for the various Air, Water, and Waste programs composed of a representative from each of the 16 regions. Both new and senior investigators are chosen to ensure a balanced and diverse viewpoint within each committee. These Technical Committees meet to identify and discuss areas of needed change and recommend improvement.

The following is a partial listing of how these committees have used the performance benchmarking principles to improve productivity, effectiveness, and efficiency by benchmarking other states, looking at the practices used by industry, implementing operational improvements, and developing procedures for continuous product improvement:

- **Benchmarking Other States** — At an annual EPA Region 6 states meeting, the compliance records of Arkansas, Louisiana, New Mexico, Oklahoma, and Texas were compared. New Mexico was determined to have the best compliance record. TNRCC staff traveled to New Mexico to observe their investigation procedures and found that New Mexico inspection procedures were not as comprehensive as is standard for the TNRCC. As a result, the TNRCC staff finds significantly more violations than they would have found using New Mexico's procedures.
- **Using Industry's Best Practices** — After conducting compliance inspections at Stage II Vapor Recovery Facilities for some time, a committee determined that greater compliance could be achieved by observing companies that tested those facilities for compliance. An inspection protocol was developed and presented to EPA, which approved a pilot program to demonstrate the effectiveness of the new procedures.
- **Operational Improvement Efforts** — The industrial and hazardous waste, municipal solid waste, public water supply and wastewater treatment inspection committees

have all made strong streamlining efforts, which include tiered inspections based on complexity and compliance records.

- **Continuous Product Improvement** — All Field Operations Committees have established an Efficiency and Effectiveness subcommittee which continually look at ways to refine and improve work procedures.

## Benchmarks

As part of the Strategic Planning process, each state agency is required to either identify an existing performance measure or develop a new measure that could be considered a performance benchmark. A benchmark is defined as a measure that can be compared over time and/or against other entities to some objective standard.

Each state agency is also required to identify all relevant statewide goals and benchmarks contained in *Vision Texas: The Statewide Strategic Planning Elements for Texas State Government* and explain the relationship between agency strategies and the state-level benchmarks.

## State-Level Benchmarks

The following is a listing of the state-level benchmarks for which the TNRCC has primary responsibility, the agency strategies that support these benchmarks, and the outcome and output measures to report actual performance:

- **Percent reduction in priority air pollutants in counties not meeting air quality standards**

The **agency strategies** that support this state-level benchmark are:

- 01-01-01 Air Quality Permitting
- 01-01-04 Air Quality Assessment and Planning
- 02-01-01 Field Operations and Complaint Response
- 02-01-02 Enforcement and Compliance Support

The TNRCC will measure the percent reduction in priority pollutants in counties not meeting air quality standards with the following **outcome measure**:

- 01-01.01 Annual percent of stationary and mobile source pollution reductions in nonattainment areas

■ **Percent of Texans with drinking water meeting or exceeding safe drinking water standards**

The **agency strategies** that support this state-level benchmark are:

- 01-01-02 Water Resource Permitting
- 01-01-04 Water Resource Assessment and Planning
- 01-02-01 Safe Drinking Water
- 02-01-01 Field Operations and Complaint Response
- 02-01-02 Enforcement and Compliance Support

The TNRCC will benchmark the percent of Texans with drinking water meeting or exceeding safe drinking water standards through the following **output measure**:

- 01-02-01.01 Number of public drinking water systems that meet primary drinking water standards

■ **Percent of Texas surface waters meeting or exceeding water quality standards**

The **agency strategies** that support this state-level benchmark are:

- 01-01-02 Water Resource Permitting
- 01-01-04 Water Resource Assessment and Planning
- 01-02-01 Safe Drinking Water
- 02-01-01 Field Operations and Complaint Response
- 02-01-02 Enforcement and Compliance Support

The TNRCC will benchmark the percent of Texas surface waters meeting or exceeding water quality standards through the following **outcome measure**:

- 01-01.04 Percent of Texas surface waters meeting or exceeding water quality standards

■ **Municipal solid waste generated/ disposed of per capita**

The **agency strategies** that support this state-level benchmark are:

- 01-01-03 Waste Management and Permitting
- 01-01-06 Waste Management Assessment and Planning
- 01-02-07 Pollution Prevention and Recycling
- 02-01-01 Field Operations and Complaint Response
- 02-01-02 Enforcement and Compliance Support

The TNRCC will benchmark the municipal solid waste generated/disposed of per capita, through the following **outcome measure**:

- 01-01.05 Annual percent reduction in disposal of municipal solid waste per capita

■ **Percent of federal and state “Superfund” sites being or already cleaned up**

The **agency strategy** that supports this state-level benchmark is:

- 03-01-03 Hazardous Material Cleanup

The TNRCC will benchmark the percent of state and federal “Superfund” sites being or already cleaned up through the following **outcome measure**:

- 03-01.02 Percent of Superfund sites cleaned-up

■ **Number of river miles for which water availability modeling has been completed**

The **agency strategy** that supports this state-level benchmark is:

- 01-01-05 Water Resource Assessment and Planning

The TNRCC will benchmark the number of river miles for which water availability modeling has been completed through the following **output measure**:

- 01-01-05.04 Number of river basin for which water availability modeling has been completed



# CALLING THE TNRCC

The Environmental Violations Hot Line is now available for anyone wanting to report an environmental concern to the TNRCC. By calling **1-888-777-3186**, residents anywhere in Texas are routed immediately to the closest TNRCC regional office. Most environmental investigations are conducted by the agency's 16 regional offices.

The TNRCC also maintains other toll-free numbers for specific uses (see below). Note that calls to these numbers cannot be transferred to other areas of the agency. Other TNRCC departments at the Austin headquarters may be reached by calling: 512/239-1000.

## Information Lines:

### **Public Assistance on Permitting: 800-687-4040**

One-stop calling for the general public to inquire about TNRCC permitting activity.

### **Small Business and Local Government Assistance: 800-447-2827**

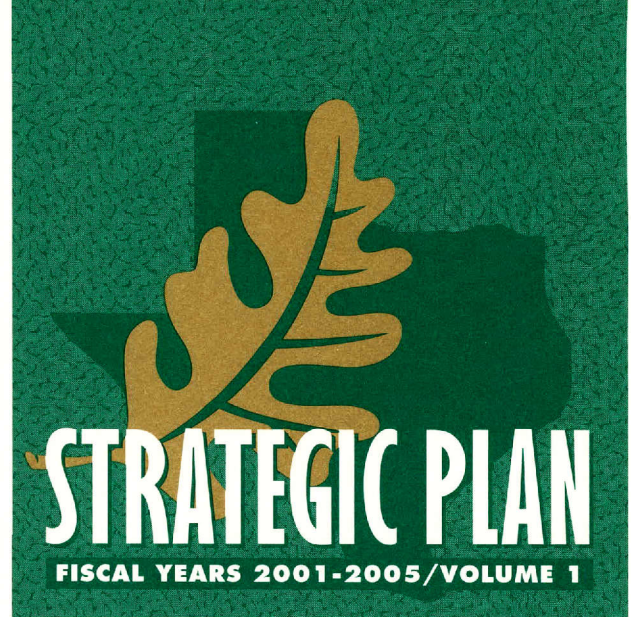
Hotline for small businesses and local governments to get information on the environment and compliance with environmental regulations.

### **Smoking Vehicle Program: 800-453-7664**

Hotline for the public to report smoking vehicles.

### **Superfund Community Relations Line: 800-633-9363**

Local citizens call with questions and concerns about state and federal Superfund sites in their area.



### **Used Oil Program: 888-892-7833**

Recorded message provides information related to the recycling of used oil, such as collection locations.

## Reporting Lines:

### **Laboratory Reporting Line: 800-252-0237**

Used by laboratories to report positive fecal coliform content in water samples.

### **PST/Stage II Vapor Recovery Hotline: 800-533-3AIR**

Posted on gasoline pumps for the public to report problems with pumps and used by station owners to obtain information on pump requirements and/or technical advice.

### **Stephenville Special Project Office: 800-687-7078**

Used to receive complaints from the Stephenville area concerning dairy runoff, overflowing ponds, etc.

### **Watermaster Water Usage Reporting Line: 800-733-2733**

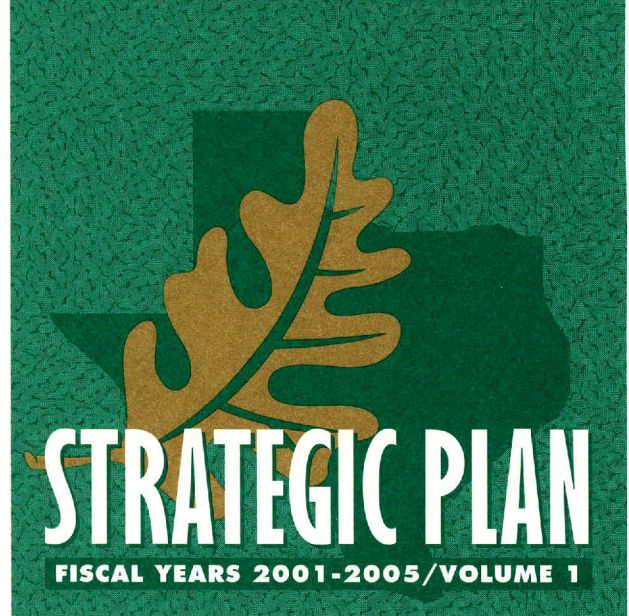
Used by water rights holders in the South Texas Watermaster's area to report water pumping/usage in advance.





# GOALS, OBJECTIVES AND STRATEGIES

*The goals, objectives, strategies, and performance measures here have not received formal approval from the LBB/GOBP at the time of this printing.*



## GOAL 1—ASSESSMENT, PERMITTING, AND PREVENTION

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

**OBJECTIVE 01**—To decrease the amount of toxics released and disposed of in Texas by 30 percent by 2003 from the 1992 level through assessing the environment, permitting facilities, and promoting voluntary pollution prevention and recycling.

### **Outcome Measures:**

- 01–01.01 Annual percent of stationary and mobile source pollution reductions in nonattainment areas
- 01–01.02 Percent of time that measured Texas air quality is in compliance with federal standards
- 01–01.03 Percent of Texans living where the air meets federal Air Quality Standards
- 01–01.04 Annual percent reduction in pollution per capita from permitted wastewater facilities discharging to the waters of the state
- 01–01.05 Percent of Texas surface waters meeting or exceeding water quality standards
- 01–01.06 Annual percent reduction in disposal of municipal solid waste per capita
- 01–01.07 Annual percent decrease in the toxic releases in Texas
- 01–01.08 Annual percent decrease in the amount of municipal solid waste going into Texas landfills
- 01–01.09 Tons of waste reduced and minimized as identified by site assistance visits and Permanent Pollution Prevention Program training

### **01–01–01 Air Quality Permitting:**

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

### **Output Measures:**

- 01–01–01.01 Number of state and federal new source review air quality permit applications reviewed
- 01–01–01.02 Number of federal air quality operating permits reviewed

### **Efficiency Measures:**

- 01–01–01.01 Percent of air quality permit applications reviewed within established time frames

### **Explanatory Measures:**

- 01–01–01.01 Number of state and federal new source review air quality permits issued
- 01–01–01.02 Number of federal air quality operating permits issued

### 01-01-02 Water Resource Permitting:

Perform complete and timely reviews of applications to utilize the state's water resources or to discharge to the state's waterways.

#### Output Measures:

- 01-01-02.01 Number of applications to address water quality impacts reviewed
- 01-01-02.02 Number of applications to address water rights impacts reviewed
- 01-01-02.03 Number of concentrated animal feeding operation (CAFO) permits reviewed

#### Efficiency Measures:

- 01-01-02.01 Percent of water resource permit applications reviewed within established time frames

#### Explanatory Measures:

- 01-01-02.01 Number of water quality permits issued
- 01-01-02.02 Number of water rights permits issued

*The goals, objectives, strategies, and performance measures here have not received formal approval from the LBB/GOBP at the time of this printing.*

### 01-01-03 Waste Management and Permitting:

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

#### Output Measures:

- 01-01-03.01 Number of new system waste evaluations conducted
- 01-01-03.02 Number of corrective actions approved for sites contaminated by solid waste
- 01-01-03.03 Number of nonhazardous waste permit applications reviewed
- 01-01-03.04 Number of hazardous waste permit applications reviewed

#### Efficiency Measures:

- 01-01-03.01 Percent of waste management permit applications reviewed within established time frames

#### Explanatory Measures:

- 01-01-03.01 Number of nonhazardous waste permits issued
- 01-01-03.02 Number of hazardous waste permits issued
- 01-01-03.03 Number of solid waste sites remediated by responsible parties
- 01-01-03.04 Number of industrial solid waste cleanups

### 01-01-04 Air Quality Assessment and Planning:

Reduce and prevent air pollution by monitoring and assessing air quality, developing and/or revising plans to address identified air quality problems, and assist in the implementation of approaches to reduce motor vehicle emissions.

#### Output Measures:

- 01-01-04.01 Number of point source air quality assessments
- 01-01-04.02 Number of area source air quality assessments
- 01-01-04.03 Number of mobile source air quality assessments
- 01-01-04.04 Number of air monitors operated

#### Efficiency Measures:

- 01-01-04.01 Percent of data collected by TNRCC continuous and non-continuous air monitoring networks
- 01-01-04.02 Average cost per air quality assessment

#### Explanatory Measures:

- 01-01-04.01 Number of days ozone exceedences are recorded in Texas



### 01-01-05 Water Resource Assessment and Planning:

Develop plans to ensure an adequate, affordable supply of clean water by monitoring and assessing water quality and availability.

#### Output Measures:

- 01-01-05.01 Number of surface water assessments
- 01-01-05.02 Number of groundwater assessments
- 01-01-05.03 Number of dam safety assessments
- 01-01-05.04 Number of river basins for which water availability modeling has been completed

#### Efficiency Measures:

- 01-01-05.01 Average cost per groundwater assessment
- 01-01-05.02 Average cost per dam safety assessment

*The goals, objectives, strategies, and performance measures here have not received formal approval from the LBB/GOBP at the time of this printing.*

#### Explanatory Measures:

- 01-01-05.01 Annual percent decrease in per capita water use
- 01-01-05.02 Percent of Texas' rivers, streams, wetlands and bays protected by site-specific water quality standards
- 01-01-05.03 Number of regional action plans implemented
- 01-01-05.04 Number of dams in the Texas Dam Inventory

### 01-01-06 Waste Management Assessment and Planning:

Ensure the proper and safe disposal of pollutants by monitoring the generation, treatment, and storage of solid waste and assessing the capacity of waste disposal facilities; and by providing financial and technical assistance to municipal solid waste planning regions for the development and implementation of waste reduction plans.

#### Output Measures:

- 01-01-06.01 Number of municipal solid waste facility capacity assessments
- 01-01-06.02 Number of hazardous waste and industrial nonhazardous waste surveys conducted

#### Efficiency Measures:

- 01-01-06.01 Average cost per municipal solid waste facility capacity assessment

#### Explanatory Measures:

- 01-01-06.01 Number of council of government regions in the state with less than 10 years of disposal capacity

### 01-01-07 Pollution Prevention and Recycling:

Promote voluntary pollution prevention and recycling through a combination of technical assistance and public education and by organizing and promoting voluntary prevention initiatives.

#### Output Measures:

- 01-01-07.01 Number of on-site technical assistance visits
- 01-01-07.02 Number of presentations and workshops on pollution prevention and waste minimization conducted
- 01-01-07.03 Number of governmental entities, industries, businesses, institutions and organizations joining the Clean Texas voluntary environmental leadership program.
- 01-01-07.04 Number of quarts of used oil diverted from landfills and processed

**Efficiency Measures:**

01-01-07.01 Average cost per on-site technical assistance visit

*The goals, objectives, strategies, and performance measures here have not received formal approval from the LBB/GOBP at the time of this printing.*

**Explanatory Measures:**

- 01-01-07.01 Tons of hazardous waste reduced as a result of pollution prevention planning
- 01-01-07.02 Tons of waste collected by local and regional collection and cleanup events coordinated/assisted by TNRCC
- 01-01-07.03 Tons of agricultural waste chemicals collected by TNRCC-sponsored entities
- 01-01-07.04 Number of registered waste tire facilities and transporters

**01-01-08 Low-Level Radioactive Waste Assessment:**

To ensure the proper and safe disposal of low-level radioactive waste.

*There are no measures for this strategy. This strategy reflects the transfer of funding and responsibility of the former Low-Level Radioactive Waste Disposal Authority pursuant to House Bill 2954, 76<sup>th</sup> Legislature.*

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

- 01-02.01 Percent of Texas population served by public water systems which meet drinking water standards
- 01-02.02 Percent of Texas population served by public water systems, using vulnerable sources, protected by a source water protection program
- 01-02.03 Percent of Texas population served by public water systems protected by a program which prevents connection between potable and nonpotable water sources

**01-02-01 Safe Drinking Water:**

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

**Output Measures:**

- 01-02-01.01 Number of public drinking water systems which meet primary drinking water standards
- 01-02-01.02 Number of drinking water samples collected

**01-02-02 Water Utilities Oversight:**

Provide regulatory oversight of water and sewer utilities to ensure that charges to customers are necessary and cost-based, and to promote and ensure adequate customer services.

**Output Measures:**

- 01-02-02.01 Number of utility rate reviews performed
- 01-02-02.02 Number of district applications processed
- 01-02-02.03 Number of certificates of convenience and necessity applications processed

**Efficiency Measures:**

- 01-02-02.01 Average time (days) to review district applications

**GOAL 2—ENFORCEMENT AND COMPLIANCE ASSISTANCE**

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

**OBJECTIVE 02**—By fiscal year 2003, to bring 95 percent of all regulated facilities into compliance with state environmental laws and regulations, and to respond appropriately to citizen inquiries and complaints.



**Outcome Measures:**

- 02-01.01 Percent of inspected or investigated air sites in compliance
- 02-01.02 Percent of inspected or investigated water sites and facilities in compliance
- 02-01.03 Percent of inspected or investigated waste sites in compliance
- 02-01.04 Percent of investigated occupational licensees in compliance
- 02-01.05 Percent of identified noncompliant sites and facilities for which appropriate action is taken

**02-01-01 Field Inspections and Complaint Response:**

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

**Output Measures:**

- 02-01-01.01 Number of inspections and investigations of air sites
- 02-01-01.02 Number of inspections and investigations of water rights sites
- 02-01-01.03 Number of inspections and investigations of water sites and facilities
- 02-01-01.04 Number of inspections and investigations of livestock and poultry operation sites
- 02-01-01.05 Number of inspections and investigations of waste sites
- 02-01-01.06 Number of spill cleanup inspections

**Efficiency Measures:**

- 02-01-01.01 Average inspection and investigation cost of livestock and poultry operations
- 02-01-01.02 Average time to complete an inspection/investigation of air sites
- 02-01-01.03 Average time to complete an inspection/investigation of water sites and facilities
- 02-01-01.04 Average time to complete an inspection/investigation of waste sites

**Explanatory Measures:**

- 02-01-01.01 Number of air sites in noncompliance
- 02-01-01.02 Number of water sites and facilities in noncompliance
- 02-01-01.03 Number of waste sites in noncompliance
- 02-01-01.04 Number of occupational licensees in noncompliance
- 02-01-01.05 Number of citizen complaints investigated

*The goals, objectives, strategies, and performance measures here have not received formal approval from the LBB/GOBP at the time of this printing.*

**02-01-02 Enforcement and Compliance Support:**

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

**Output Measures:**

- 02-01-02.01 Number of small businesses assisted by the Small Business Assistance Program (SBAP)
- 02-01-02.02 Number of local government assistance requests responded to by the Local Government Assistance Program
- 02-01-02.03 Number of air program administrative enforcement orders issued
- 02-01-02.04 Number of water program administrative enforcement orders issued
- 02-01-02.05 Number of waste program administrative enforcement orders issued

**Efficiency Measures:**

- 02-01-02.01 Average number of days to respond to small business requests for assistance
- 02-01-02.02 Average number of days to file notices of formal violations

**Explanatory Measures:**

- 02-01-02.01 Amount of administrative penalties required to be paid in final administrative orders issued
- 02-01-02.02 Amount required to be paid for supplemental environmental projects issued in administrative orders
- 02-01-02.03 Percent of administrative penalties collected

**02-01-03 Occupational Licensing:**

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

**Output Measures:**

- 02-01-03.01 Number of applications for certification
- 02-01-03.02 Number of examinations administered
- 02-01-03.03 Number of new licenses issued
- 02-01-03.04 Number of licenses renewed

*The goals, objectives, strategies, and performance measures here have not received formal approval from the LBB/GOBP at the time of this printing.*

**Efficiency Measures:**

- 02-01-03.01 Average annualized cost per license

**Explanatory Measures:**

- 02-01-03.01 Number of TNRCC-certified environmental professionals
- 02-01-03.02 Number of jurisdictional complaints received

**GOAL 3—POLLUTION CLEANUP**

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

**OBJECTIVE 01**—By fiscal year 2003, to identify, assess, and clean up 80 percent of the known sites contaminated by hazardous materials and petroleum from leaking storage tanks.

**Outcome Measures:**

- 03-01.01 Percent of leaking petroleum storage tank sites cleaned up
- 03-01.02 Percent of Superfund sites cleaned up
- 03-01.03 Percent of voluntary and brownfield cleanup properties made available for commercial/industrial redevelopment, community, or other economic reuse

**03-01-01 Storage Tank Administration:**

Regulate the installation and operation of underground storage tanks and administer a program to identify and remediate sites contaminated by leaking storage tanks.

**Output Measures:**

- 03-01-01.01 Number of petroleum storage tank self certifications processed

**03-01-02 Storage Tank Cleanup:**

Provide prompt and appropriate reimbursement to contractors and owners for the cost of remediating sites contaminated by leaking storage tanks.

**Output Measures:**

- 03-01-02.01 Number of emergency response actions at petroleum storage tank sites
- 03-01-02.02 Number of Petroleum Storage Tank Reimbursement Fund applications processed
- 03-01-02.03 Number of petroleum storage tank cleanups completed



**Efficiency Measures:**

- 03-01-02.01 Average time (days) to review and respond to remedial action plans
- 03-01-02.02 Average time (days) to review and respond to risk-based site assessments
- 03-01-02.03 Average time (days) to process Petroleum Storage Tank Remediation Fund reimbursement claims

**Explanatory Measures:**

- 03-01-02.01 Average cost per petroleum storage tank cleanup

**03-01-03 Hazardous Materials Cleanup:**

Aggressively pursue the investigation, design and cleanup of federal and state Superfund sites; and facilitate voluntary cleanup activities at other sites and respond immediately to spills which threaten human health and environment.

**Output Measures:**

- 03-01-03.01 Immediate Response Actions conducted to protect human health and environment
- 03-01-03.02 Number of Superfund site assessments
- 03-01-03.03 Number of voluntary and brownfield cleanups completed
- 03-01-03.04 Number of Superfund evaluations underway
- 03-01-03.05 Number of Superfund cleanups underway
- 03-01-03.06 Number of Superfund cleanups completed

*The goals, objectives, strategies, and performance measures here have not received formal approval from the LBB/GOBP at the time of this printing.*

**Efficiency Measures:**

- 03-01-03.01 Average time (days) for immediate response actions

**Explanatory Measures:**

- 03-01-03.01 Number of potential Superfund sites to be assessed
- 03-01-03.02 Number of federal Superfund sites
- 03-01-03.03 Number of state Superfund sites







# APPENDICES

*A. Strategic Planning Process*

*B. TNRCC Organizational Chart*

*C. Outcome Projections, Fiscal Years 2001–2005*

*D. Performance Measures and Definitions, Fiscal Year 2000*

*E. Report on Customer Service*

*F. 1999–2000 Survey of Organizational Excellence*

*G. Information Resources Strategic Plan*





# APPENDIX A

## STRATEGIC PLANNING PROCESS

This strategic plan reflects the TNRCC's commitment to continually improve the conservation and protection of our natural resources for all Texans.

To prepare this strategic plan, the TNRCC enlisted the talents and expertise of a broad group of individuals, including the commissioners, senior and middle management, rank-and-file employees, and agency stakeholders. Each office and division actively participated in the development of this plan.

This agency did not become complacent in preparing its fourth strategic plan. While building upon the accomplishments of the past, the TNRCC included several new sections to provide a summary of the agency's long history, the court decisions that shaped how programs are administered today, and a section that should help the regulated community and the public efficiently contact the agency.

This strategic plan includes a new "History and Major Events" section which describes the gradual evolution of the TNRCC (and its predecessor agencies) from protecting the right of access to water in 1913 to today's broader role of protecting public health and conserving natural resources for future generations.

To understand how programs are shaped by recent judicial decisions, the Office of Legal Services prepared a new section titled "Significant and Pending Court Cases." This section is intended to provide a summary of those court cases that have affected the agency in the recent past and those that may affect the agency in the near future.

The Agency Communications Division provided a list of toll-free numbers in "Calling the TNRCC" section. This section provides the toll-free numbers to report environmental violations to the TNRCC and to receive information such as public assistance on permitting issues.

The agency also reviewed and revised many sections of the strategic plan. The commissioners updated and consolidated the "Agency Mission and Philosophy" statements to improve clarity and

conciseness in expressing the reason for this agency's existence and our core values.

The "Organizational Overview" section was revised by each division to reflect the changes in roles and responsibilities as a result of the recent reorganization of the agency, which brought all planning functions together under a single office and all permitting functions together in another single office.

The Chief Financial Officer updated the "Financial Status and Outlook" section of the strategic plan to reflect the current and long-term funding requirements of the agency.

The "Agency Work Force" section has been amended by the Human Resources and Staff Development Division to identify and summarize agency efforts in recruiting, selecting, and retaining a diverse workforce that is representative of the state's labor force.

The Financial Administration Division provided in the "Historically Underutilized Businesses (HUBs)" section an update of the agency's efforts to award procurement and contracting opportunities to minority and women-owned business. This section also included a summary of the agency's good-faith effort to increase future participation of HUBs.

The "Facility Infrastructure" section of the strategic plan was amended by the Office of Administrative Services and the Field Operations Division to account for the agency's current physical assets and future capital improvement needs.

With advice and assistance from the Information Resources Division, the Information Technology (IT) Workgroup, which is composed of representatives from each office, and the IT Steering Committee, which is composed of the deputy directors from each office, worked diligently over a three-month period to complete both the "Information Resources" section of this strategic plan and the Information Resources Strategic Plan.

The "State and Federal Issues" section was updated by the Office of Environmental Policy, Analysis, and Assessment to reflect recent changes

in state law enacted by the 76<sup>th</sup> Legislature and changes to identify federal issues affecting the administration of federally delegated programs.

This strategic plan also includes a new “Report on Customer Service,” which includes the agency’s Compact with Texans and the result of our recent Customer Satisfaction Survey. The survey identified how our stakeholders felt about the quality of service provided to them by the TNRCC.

The Strategic Environmental Analysis (SEA) Group was established in October 1998 to provide environmental strategic planning information to complement the agency’s existing budgeting and strategic planning process. The SEA Group analyzes environmental data to determine causes of apparent trends and to better enable the agency to prepare and

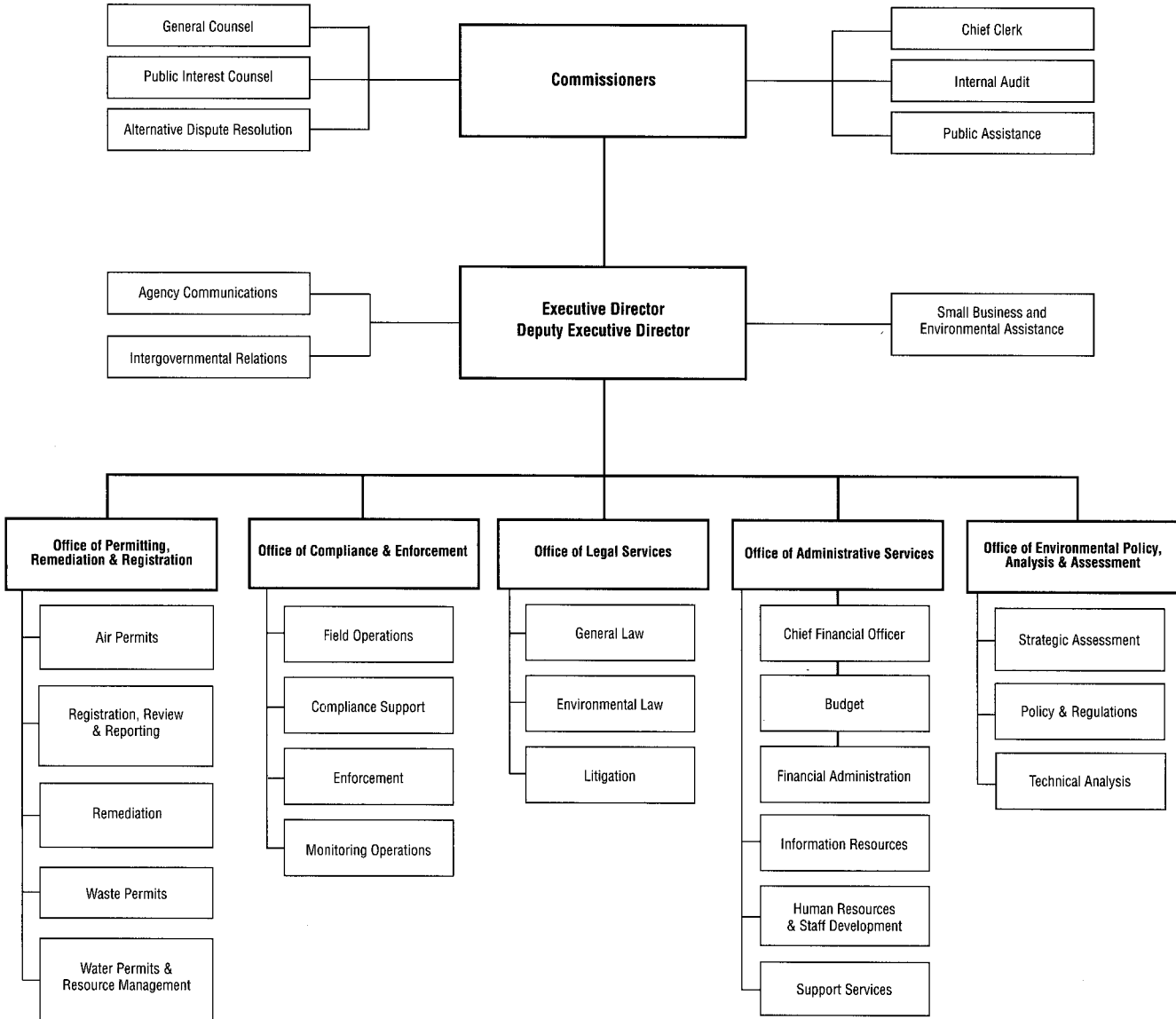
plan for future environmental problems. The group conducted a comprehensive review of the environmental conditions of each geographic region of the state and the TNRCC’s response to the conditions found, which is included in Volume II of the strategic plan.

Finally, the Office of Environmental Policy, Analysis, and Assessment and the Office of Compliance and Enforcement contributed to the development of the “Performance Benchmarking” section of the strategic plan. These offices shared their experiences in improving the effectiveness and efficiency of agency programs by the review and evaluation of agency processes and procedures resulting in process changes.



# APPENDIX B TNRCC ORGANIZATIONAL CHART

*May 1, 2000*







# APPENDIX C OUTCOME PROJECTIONS

*Fiscal Years 2001–2005*

Goal/Obj	Outcome Measure	2001	2002	2003	2004	2005
01-01.01	Annual percent of stationary and mobile source pollution reductions in nonattainment areas	6%	6%	6%	6%	6%
01-01.02	Percent of time that measured Texas air quality is in compliance with federal standards	99%	99%	99%	99%	99%
01-01.03	Annual reduction in pollution from permitted waste water facilities discharging to the waters of the state per capita	0.2%	0.2%	0.2%	0.2%	0.2%
01-01.04	Percent of Texas surface waters meeting or exceeding water quality standards	87%	84%	84%	85%	85%
01-01.05	Annual reduction in disposal of municipal solid waste per capita	1.5%	1.5%	1.5%	1.5%	1.5%
01-01.06	Annual percent decrease in the toxic releases in Texas	0.5%	0.5%	0.5%	0.5%	0.5%
01-01.07	Annual percent decrease in the amount of municipal solid waste going into Texas landfills	(2%)	(2%)	(2%)	(2%)	(2%)
01-01.08	Tons of waste reduced and minimized as identified by site assistance visits and Permanent Pollution Prevention Program training	3,000	3,000	3,000	3,000	3,000
01-01.09	Percent of Texans living where the air meet federal Air Quality Standards	33%	33%	33%	33%	33%
01-02.01	Percent of Texas population served by public water systems which meet primary drinking water standards	96.3%	96.4%	96.5%	96.6%	96.7%
01-01.02	Percent of Texas population served by public water systems, using vulnerable sources, protected by a source water protection program	52%	54%	58%	60%	62%
01-02.03	Percent of Texas population served by public water systems protected by a program which prevents connection between potable and non-potable water sources	90%	90%	95%	95%	95%
02-01.01	Percent of inspected or investigated air sites in compliance	96%	97%	97%	97%	97%
02-01.02	Percent of inspected or investigated water sites and facilities in compliance	98%	97%	97%	97%	97%
02-01.03	Percent of inspected or investigated waste sites in compliance	95%	97%	97%	97%	97%
02-01.04	Percent of inspected or investigated occupational licensees in compliance	24%	24%	24%	24%	24%
02-01.05	Percent of identified noncompliant sites and facilities for which appropriate action is taken	85%	85%	85%	85%	85%
03-01.01	Percent of leaking petroleum storage tank sites cleaned up	76%	78%	80%	82%	84%
03-01.02	Percent of Superfund sites cleaned up	12%	54.2%	56.7%	59.7%	61.7%
03-01.03	Percent of voluntary and brownfield cleanup properties made available for commercial/industrial redevelopment, community, or other economic reuse	14%	14%	14%	14%	14%





# APPENDIX D

## Performance Measures and Definitions — Fiscal Year 2001

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing)*

<b>Outcome</b> 01-01.01	<b>Annual percent of stationary and mobile source pollution reductions in nonattainment areas</b>
<p><b>Short Definition:</b> This measure quantifies changes in criteria pollutants or precursors for criteria pollutants for which the area has failed to meet a national standard from sources within non-attainment areas.</p> <p><b>Purpose/Importance:</b> The measure reflects trends of criteria emissions in the non-attainment areas showing pollution changes in areas that have failed to meet national emission standards. These changes are potential indicators of strategies put in place to reduce emissions which will result in meeting attainment status.</p> <p><b>Source/Collection of Data:</b> The sources of data include the annual inventory of major stationary point sources and the inventory of minor point sources and mobile sources that occurs every three years.</p> <p><b>Method of Calculation:</b> This measure is calculated by subtracting emissions data totals of the most recent emissions inventory from the total emissions figures of the previous year, divided by a base year emissions according to pollutant type.</p> <p><b>Data Limitations:</b> The lack of consistency between the current methods of conducting emissions inventories for major stationary point and minor stationary point and mobile emissions results in the inability to compile detailed annual trend analyses.</p> <p><b>Calculation Type:</b> Non-cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Lower than target</p>	
<b>Outcome</b> 01-01.02	<b>Percent of time that measured Texas air quality is in compliance with federal standards</b>
<p><b>Purpose/Importance:</b> This measure addresses the percentage of time that monitored air quality in Texas meets federal standards for 1 hour health based standards. The measure primarily addresses ozone above 125 ppb in any hour. High levels of ozone impacts the ability of high-risk groups (children, people with asthma, athletes or people with reduced lung capacity) to work or play outdoors without experiencing difficulty in breathing. High ozone usually occurs in warm weather with little or no wind. This is also a time when many people attempt outdoor activities. In contrast, particulate matter, containing fine particles of soot, soil or other matter may occur year round. Breathing particulate matter above EPA's health standard may result in an increased risk of lung cancer.</p> <p><b>Source/Collection of Data:</b> TNRCC air quality data base is for National Air Monitoring Stations (NAMS) sites used for this information. The air quality data base contains quality assured data from all NAMS sites. EPA also has an opportunity to review the data before it is used in this calculation. The data base is queried to determine the percentage.</p> <p><b>Method of Calculation:</b> Determine the total hours monitored. subtract the total hour monitored above the hourly or daily standard, divided by the total hours monitored, then multiplied by 100 percent.</p> <p><b>Data Limitations:</b> There are a limited number of monitors statewide, with very few located in rural areas. The October 7, 1999 high ozone event in Houston (251 ppb monitored) is treated the same in this calculation as a 126 ppb violation (1 ppb above the federal standard). This is probably not an accurate measure to address short or long term impacts on human health.</p> <p><b>Calculation Type:</b> Non-cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> 100% of the time air monitored in Texas is in compliance with federal standards</p>	
<b>Outcome</b> 01-01.03	<b>Percent of Texans living where the air meets federal Air Quality Standards</b>
<p><b>Short Definition:</b> Percent of Texans living where the air meets federal Air Quality Standards.</p> <p><b>Purpose/Importance:</b> This measure reflects compliance with federal Air Quality Standards.</p> <p><b>Source/Collection of Data:</b> Number of counties in non-attainment areas.</p> <p><b>Method of Calculation:</b> The percentage of Texas population in areas meeting federal clean air standards is measured by identifying the population within the counties in which the federal standards are being exceeded (nonattainment areas) and subtracting this population figure from the statewide total population figure. This number is then divided by the total population and multiplied by 100 to derive a percentage.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Non-cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Near projections.</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

<b>Outcome 01-01.04</b>	<b>Annual percent reduction in pollution per capita from permitted wastewater facilities discharging to the waters of the state</b>
<p><b>Short Definition:</b> Annual percent reduction in pollution per capita from permitted wastewater facilities discharging to the waters of the state</p> <p><b>Purpose/Importance:</b> This measure reflects the reduction in the pollution load from all facilities discharging to the waters of the state as a function of the current population.</p> <p><b>Source/Collection of Data:</b> Using a TNRCC data base maintained by the Office of Water Permits and Resource Management, staff will report the pounds per day of BOD5 or CBOD5 as a monthly average reported annually in June for the period of May thru April as the annual monthly average pollution load. CBOD5 is the Five Day Carbonaceous Biochemical Oxygen Demand. BOD5 is the Five Day Biochemical Oxygen Demand.</p> <p><b>Method of Calculation:</b> The annual monthly average pollution load from all facilities discharging to the waters of the state will be divided by the population of Texas from a source which re-estimates state population annually to give the annual average per capita loading of the pollution to the waters of the state. The year's annual average per capita loading will be subtracted from the previous year's annual average per capita loading, divided by the previous year's annual average per capita loading, and multiplied by 100 to determine the percent reduction from the previous year.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Non-cumulative.</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Below projections.</p>	
<b>Outcome 01-01.05</b>	<b>Percent of Texas surface water meeting or exceeding water quality standards</b>
<p><b>Short Definition:</b> Using the most recent Texas Water Quality Inventory, the agency will calculate the percentage of state waters meeting designated site-specific standards, as defined in the Texas Surface Water Quality Standards, for each major water body type. These numbers are then averaged in order to develop a single statewide percentage. Calculated annually.</p> <p><b>Purpose/Importance:</b> The Texas Surface Water Quality Standards establish explicit numerical goals for water quality in the surface waters of Texas. The extent to which water quality standards are attained is a direct environmental measure of water quality in Texas rivers, reservoirs, and estuaries.</p> <p><b>Source/Collection of Data:</b> Water quality data is collected by TNRCC and other agencies in Texas and compiled into a TNRCC database. This data is assessed for standards compliance in the Texas Water Quality Inventory and in the Texas 303(d) list of impaired waters.. Numerical standards are listed in The Texas Surface Water Quality Standards, Chapter 307 of title 30 of the Texas Administrative Code. Additional screening criteria are listed in TNRCC Guidance for Screening and Assessing Texas Surface and Finished Drinking Water Quality Data.</p> <p><b>Method of Calculation:</b> Standards attainment is determined from data printouts which incorporate information in the TNRCC Texas Water Quality Inventory [305(b) Report] and the Texas 303(d) list of impaired waters. Calculations to update the statewide totals from this segment-by-segment information are conducted by the Water Quality Monitoring Team. Using this information, the percent of waters meeting water quality standards is calculated separately for rivers, reservoirs, and estuaries. For this calculation, the percent meeting standards = <math>100 \times (\text{"amount supporting"} + \text{"amount partially supporting"}) / \text{"total amount assessed"}</math>; where "total amount assessed" = "amount supporting" + "amount partially supporting" + "amount not supporting"; "amount" = miles for rivers, acres for reservoirs, and sq. miles for estuaries. The overall percent of waters attaining standards for the state is then calculated as (% of rivers meeting standards + % of reservoirs meeting standards + % of estuaries meeting standards) / 3.</p> <p><b>Data Limitations:</b> Several years of data are typically needed to assess standards compliance in each water body. Therefore, the rate of change of this measure is relatively slow. In addition, the extent of standards compliance can be affected by changes in the procedures for assessing attainment rather than by actual changes in instream water quality. Results can also be artificially affected by the continuing increase in the number of water bodies which are sampled for standards compliance. Even with these limitations, standards compliance is generally an effective environmental indicator on a statewide basis.</p> <p><b>Calculation Type:</b> Non-cumulative.</p> <p><b>New Measure:</b> No.</p> <p><b>Desired Performance:</b> Higher than target.</p>	
<b>Outcome 01-01.06</b>	<b>Annual percent reduction in disposal of municipal solid waste per capita</b>
<p><b>Short Definition:</b> The annual percent reduction in the amount of municipal solid waste disposal in the state per person.</p> <p><b>Purpose/Importance:</b> To provide a general indicator of the effectiveness of statewide solid waste reduction and planning efforts.</p> <p><b>Source/Collection of Data:</b> Waste disposal data obtained through the annual reporting program for municipal solid waste landfills</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

<p>is used. In addition, population estimates from the Texas State Data Center are used (i.e., July 1 estimates for the year of report, 1.0 Growth Scenario).</p> <p><b>Method of Calculation:</b> Per capita rates are determined by dividing total annual disposal amounts for the state by total annual population for the state. The percent reduction is determined by the formula: <math>(\text{current rate} - \text{previous rate}) / \text{previous rate} \cdot 100</math></p> <p><b>Data Limitations:</b> Population estimates are used, assuming a certain growth scenario. Although population growth has a direct affect on solid waste generation, economic factors are also important and are not currently considered in the calculation. In addition, only about 41% of total waste disposal is determined by actual scale weight, with the majority of waste disposal in the state determined by volume estimates.</p> <p><b>Calculation Type:</b> Non-cumulative.</p> <p><b>New Measure:</b> No.</p> <p><b>Desired Performance:</b> Higher than target.</p>	
<b>Outcome</b> 01-01.07	<b>Annual percent decrease in the toxic releases in Texas</b>
<p><b>Short Definition:</b> Annual percent decrease in the toxic releases in Texas</p> <p><b>Purpose/Importance:</b> This measure reflects industry efforts to make reductions in their toxic releases.</p> <p><b>Source/Collection of Data:</b> Using the adjusted data reported in the annual Toxic Release Inventory, the amount of toxic releases during the reporting period, to air, land, and water will be subtracted from the previous year's level, and this difference will be divided by the previous year's level and multiplied by 100 to calculate the percent reduction.</p> <p><b>Method of Calculation:</b> Using the adjusted data reported in the annual Toxic Release Inventory, the amount of toxic releases during the reporting period, to air, land, and water will be subtracted from the previous year's level, and this difference will be divided by the previous year's level and multiplied by 100 to calculate the percent reduction.</p> <p><b>Data Limitations:</b> Data depends on the timely retrieval of information from the Toxic Release Inventory maintained by the EPA.</p> <p><b>Calculation Type:</b> Non-cumulative.</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Below projections.</p>	
<b>Outcome</b> 01-01.08	<b>Annual percent decrease in the amount of municipal solid waste going into Texas landfills</b>
<p><b>Short Definition:</b> Annual percent decrease in the amount of municipal solid waste going into Texas landfills</p> <p><b>Purpose/Importance:</b> This measure reflects conservation efforts to reduce the amount of solid waste going into Texas landfills.</p> <p><b>Source/Collection of Data:</b> The percent decrease in the amount of municipal solid waste (MSW) going into Texas landfills will be computed by subtracting the amount in tons for the reporting period from the amount in tons for the previous year. This difference will then be divided by the amount in tons for the previous year and multiplied by 100 to determine the percent decrease. The disposal amount in tons is based on the most current set of complete data obtained through annual reports required for all permitted MSW facilities.</p> <p><b>Method of Calculation:</b> The percent decrease in the amount of municipal solid waste (MSW) going into Texas landfills will be computed by subtracting the amount in tons for the reporting period from the amount in tons for the previous year. This difference will then be divided by the amount in tons for the previous year and multiplied by 100 to determine the percent decrease. The disposal amount in tons is based on the most current set of complete data obtained through annual reports required for all permitted MSW facilities.</p> <p><b>Data Limitations:</b> Due to the continued growth in population in the state, there will more than likely not be a decrease in municipal solid waste going to landfills despite the best efforts to encourage recycling and reuse for some time to come.</p> <p><b>Calculation Type:</b> Non-cumulative.</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Below projections.</p>	
<b>Outcome</b> 01-01.09	<b>Tons of waste reduced and minimized as identified by site assistance visits and Permanent Pollution Prevention Program training</b>
<p><b>Short Definition:</b> Tons of waste reduced and minimized by industries implementing strategies identified by Pollution Prevention and Industry Assistance staff during technical site assistance visits and Permanent Pollution Prevention training.</p> <p><b>Purpose/Importance:</b> This measure provides an indication of Pollution Prevention and Industry Assistance staff's ability to encourage Texas businesses to implement pollution prevention and waste minimization practices and technologies. The measure provides a measurable indicator of waste reduced and minimized in Texas as a result of pollution prevention/waste minimization efforts.</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

**Source/Collection of Data:** Implemented projects and waste reduction information is documented for facilities who have participated in P4 Workshops and site assistance visits. Provided by participating businesses through voluntary surveys, reduction information is collected by Pollution Prevention and Industry Assistance staff and entered into a Paradox database.

**Method of Calculation:** Tons of hazardous waste decreased during a reporting period is calculated and compared to the previous year's level. Each reporting facilities' waste reduction totals are then summed to calculate total tons reduced.

**Data Limitations:** Reduction information is provided by businesses on a voluntary basis. Tons of waste prevented/minimized is based on previous year's data. Expanding facilities must often rely on estimates to determine a reduction number during periods of increased production.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Desired Performance:** Higher than target

<b>Output</b> 01-01-01.01	<b>Number of state and federal new source review air quality permit applications reviewed</b>
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**Short Definition:** The total number of pre-construction new permit applications, permit amendment applications, permit alteration applications, and permit-by-rule registrations reviewed by the Air Permits Division. Permit applications include general permit applications, Standard Permits, Flexible Permits, federal prevention of significant air quality deterioration (PSD) permits, and federal nonattainment area (NAA) permits.

**Purpose/Importance:** This measure provides an indication of the permitting workload of the Air Permits Division staff assigned to work on state and federal new source review permit applications.

**Source/Collection of Data:** The source of this information is the NSR permits information management system database. An entry for each project is created in the database when the project is received in the Air Permits Division. Each permit engineer is then responsible for tracking certain elements of the project's progress through the review and ensuring that these tracking elements are entered into the database by the data entry staff. Data entry for each project is then closed out at the time the project is approved, issued, or denied. Signature of permits by the Chairman of the TNRCC or designee denotes completion of the review process.

**Method of Calculation:** This information is obtained by running a computer query on the NSR permits database for the types of projects being reported.

**Data Limitations:** A potential limitation of the data is the time lag between completion of a project and the entry of the completion tracking elements into the database. Generally, this time lag is less than one week. The Air Permits Division staff has no control over the number of applications that are received.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Desired Performance:** Near projections.

<b>Output</b> 01-01-01.02	<b>Number of federal air quality operating permits reviewed</b>
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**Short Definition:** This measure reflects the number of completed application reviews for federal air quality operating permits mandated by Title V of the FCAA.

**Purpose/Importance:** This measure provides an indication of the permitting workload of the Air Permits Division staff assigned to work on federal operating permit applications. This measure is also used to determine whether the TNRCC has met the statutory and regulatory requirement to act on at least one-third of the initial operating permit applications during the phase-in of this relatively new program.

**Source/Collection of Data:** The source of this information is the TNRCC's Information Management System (IMS) database. An entry for each project is created in the database when the project is received in the Air Permits Division. Each permit engineer is then responsible for tracking certain elements of the project's progress through the review and ensuring that these tracking elements are entered into the database. Data entry for each project is then closed out at the time the project is approved, issued, or denied. For purposes of operating permits, application reviews completed means General Operating Permit grant letters signed and/or Site Operating Permits sent to EPA as a proposed permit. Also included are any applications which are voided or withdrawn.

**Method of Calculation:** The data is collected by running a query on the operating permits database within the IMS to obtain the number of operating permit applications which have been acted on.

**Data Limitations:** A potential limitation of the data is the time lag between completion of a project element and the entry of the tracking element into the database. Generally, this time lag is less than one week.



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

<b>Calculation Type:</b> Cumulative. <b>New Measure:</b> No. <b>Desired Performance:</b> Higher than target.	
<b>Efficiency 01-01-01.01</b>	<b>Percent of air quality permit applications reviewed within established time frames</b>
<p><b>Short Definition:</b> For new source review (NSR) permit applications, the percent of air quality permit applications reviewed within targeted time frames will be determined by dividing the number of applications reviewed within the target time frame by the total number of application reviews completed. This procedure will be conducted for all NSR application categories using the NSR Information Management System (IMS). Target time frames: Permits, permit amendments and permit renewals - 9 months; Permit alterations - 60 days; Permits-by-rule - 45 days. Target time frames will not apply to applications for which a hearing has been requested.</p> <p>Operating permit applications are due in two groups (interim and full program). One-third of the interim program operating permit applications received by July 25, 1997 are expected to be reviewed each consecutive 12-month period after July 1996. One-third of the full program operating permit applications received on or after February 1998 will be scheduled to be reviewed during each consecutive 12-month period after the July 1998 date. Therefore, for the operating permit program this measure will be the percent of the one-third goal achieved during each one-year period until August 2001.</p> <p><b>Purpose/Importance:</b> This measure addresses the efficiency of the staff of the Air Permits Division in reviewing air quality permit applications. In the case of new source review permits, the deadlines were established based on past permitting history and an evaluation of what was a reasonable workload for permit engineers. In the case of operating permits, the deadlines are established by statute and regulation.</p> <p><b>Source/Collection of Data:</b> The source of the data will be the new source review and operating permit information management systems.</p> <p><b>Method of Calculation:</b> The percent air quality permit applications reviewed within established time frames for NSR permits is calculated by running a query on the NSR permits database. The percent of applications reviewed within established time frames for operating permit will be calculated by dividing the number of applications reviewed during the time frame being looked at by the number of applications which should have been reviewed. The number which should have been reviewed is based on the one-third per year established by statute and regulation. The overall percent air quality permit applications reviewed within established time frames will be calculated only for NSR for the first three quarters of the year and as a weighted average of NSR and operating permits in the fourth quarter because Title V of the FCAA establishes time frames based on a required number of permits reviewed by the end of each year.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Non-cumulative.  <b>New Measure:</b> No.  <b>Desired Performance:</b> Higher than target.</p>	
<b>Explanatory 01-01-01.01</b>	<b>Number of state and federal new source review air quality permits issued</b>
<p><b>Short Definition:</b> The number of state and federal new source review (NSR) air quality permits which were actually issued or approved.</p> <p><b>Purpose/Importance:</b> This measure reflects the number of NSR air quality permits reviewed under the Texas Clean Air Act and the federal NSR permitting program which were actually issued or approved.</p> <p><b>Source/Collection of Data:</b> The source of this information is the NSR permitting information management system (IMS) database.</p> <p><b>Method of Calculation:</b> The sum of the state and federal NSR permits issued or approved during the reporting period. The data will be obtained by running a query on the NSR IMS.</p> <p><b>Data Limitations:</b> A potential limitation of the data is the time lag between completion of a project element and the entry of the tracking element into the database. Generally, this time lag is less than one week.</p> <p><b>Calculation Type:</b> Cumulative.  <b>New Measure:</b> No.  <b>Desired Performance:</b> Near projection.</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

<b>Explanatory 01-01-01.02</b>	<b>Number of federal air quality operating permits issued</b>
<p><b>Short Definition:</b> The number of federal air quality operating permits mandated by Title V of the Federal Clean Air Act (FCAA) which were actually issued. Issued, for purposes of operating permits, means EPA review completed and the Chairman of the TNRCC or his designee has signed the grant letters and/or permits. The sources of this information is the TNRCC Information Management System Database. Cumulative.</p> <p><b>Purpose/Importance:</b> This measure reflects the number of federal air quality operating permits reviewed under the Texas Clean Air Act which were actually issued or approved.</p> <p><b>Source/Collection of Data:</b> The source of this information is the federal operating permits information management system (IMS) database.</p> <p><b>Method of Calculation:</b> The sum of the number of federal operating permits issued or approved during the reporting period. The data will be obtained by running a query on the federal operating permits IMS.</p> <p><b>Data Limitations:</b> A potential limitation of the data is the time lag between completion of a project element and the entry of the tracking element into the database. Generally, this time lag is less than one week.</p> <p><b>Calculation Type:</b> Cumulative.</p> <p><b>New Measure:</b> No.</p> <p><b>Desire Performance:</b> Near projections.</p>	
<b>Output 01-01-02.01</b>	<b>Number of applications to address water quality impacts reviewed</b>
<p><b>Short Definition:</b> Number of applications to address water quality impacts reviewed</p> <p><b>Purpose/Importance:</b> This measure reflects agency workload with regard to the review of water quality permit applications.</p> <p><b>Source/Collection of Data:</b> The Wastewater Permitting Section will provide a number each reporting period which identifies the number of municipal and industrial wastewater permits it has drafted and filed with the Chief Clerk for public notice. Filing of draft permits with the Chief Clerk denotes completion of the program review process. This information is tracked on databases within the Wastewater Permitting Section. The total number of sewage sludge beneficial use registrations, sewage sludge process and/or disposal permits, and water treatment sludge land application registrations and/or disposal permits will be included. This measure does not include authorizations by rule, general permit, nor pretreatment audits. In addition to the information provided by the Wastewater Permitting Section, this measure will include Edwards Aquifer (EA) protection plans reviewed and notices of approval (NOA) issued for on-site sewage facilities (OSSF) by the Field Operations Division (FOD). This information will be based on EA plan reviews and OSSF NOAs which are completed and entered into the FOD water program databases during the reporting period.</p> <p><b>Method of Calculation:</b> The wastewater permitting section provides data from their database and the Field Operations division provides their data to Strategic Planning division. These two numbers are added together to provide the number of applications reviewed.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Near projections.</p>	
<b>Output 01-01-02.02</b>	<b>Number of applications to address water rights impacts reviewed</b>
<p><b>Short Definition:</b> This measure is the number of permitting actions completed by the Water Rights Permitting Team and is calculated by totaling the number of water rights applications, ownership transfers, temporary permits (as reported by Field Operations), and water supply contracts processed and reviewed during the reporting period.</p> <p><b>Purpose/Importance:</b> This measure indicates the productivity of the Water Rights Permitting Team staff.</p> <p><b>Source/Collection of Data:</b> Water Rights Permitting staff enter milestone information into the water rights database. Staff query this database for applications completed this quarter and review monthly activity reports for ownership changes and supply contracts.</p> <p><b>Method of Calculation:</b> Applications completed this quarter are summed together with ownership changes and contracts as reported in monthly activity reports.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Higher than target</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

<b>Output</b> 01-01-02.03	<b>Number of concentrated animal feeding operation (CAFO) permits reviewed</b>
<p><b>Short Definition:</b> Number of concentrated animal feeding operation (CAFO) permits reviewed</p> <p><b>Purpose/Importance:</b> This measure reflects agency workload with regard to processing CAFO permits.</p> <p><b>Source/Collection of Data:</b> Using information maintained on the TRACS database, this measure will be reported at the end of each quarter by calculating the total number of concentrated animal feeding operations permit authorizations reviewed by the staff. Transmittal of reviewed applications from the program to the Chief Clerk's Office denotes process completed by the program.</p> <p><b>Method of Calculation:</b> Using information maintained on the TRACS database, this measure will be reported at the end of each quarter by calculating the total number of concentrated animal feeding operations permit authorizations reviewed by the staff. Transmittal of reviewed applications from the program to the Chief Clerk's Office denotes process completed by the program.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Cumulative.</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Near projections.</p>	
<b>Efficiency</b> 01-01-02.01	<b>Percent of water resource permit applications reviewed within established time frames</b>
<p><b>Short Definition:</b> This measure includes water right and wastewater permit applications. The percent of water rights permit applications reviewed within targeted time frames will be determined by dividing the number of applications reviewed within the targeted time frame in that quarter by the total number of permits issued in that quarter. This information is tracked using water rights databases. The targeted time frame for the review of water rights permits is established by statute, agency rules or agency standard operating procedures.</p> <p>The percent of municipal and industrial wastewater permits reviewed within targeted time frames will be determined by dividing the number of applications reviewed within targeted time frames in that quarter by the total number of permits reviewed during that quarter. This information is tracked using databases administered in the wastewater permitting program. The targeted time frame for the review of municipal and industrial wastewater permits is established by statute, agency rules, or agency standard operating procedures.</p> <p><b>Purpose/Importance:</b> This measure indicates the efficiency of the Water Permits &amp; Resource Management Division's staff in processing permit applications.</p> <p><b>Source/Collection of Data:</b> Staff enter all pertinent application information into the water rights or wastewater permitting databases as the application is processed. Staff query this database and total the number of completed reviews within the quarter. Staff then subtract the completed date from the administratively complete date to determine the review time for all reviews completed within the quarter.</p> <p><b>Method of Calculation:</b> The number of reviews completed within established time frames are summed and divided by the total number of reviews completed within the quarter.</p> <p><b>Data Limitations:</b> Applications are excluded from the count when suspended from processing in accordance with either agency rules or agency policy.</p> <p><b>Calculation Type:</b> Non-Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Higher than target</p>	
<b>Explanatory</b> 01-01-02.01	<b>Number of water quality permits issued</b>
<p><b>Short Definition:</b> This measure will report the total number of water quality permits approved by the Executive Director or by the Commissioners.</p> <p><b>Purpose/Importance:</b> To report the number of TPDES, State and Agricultural permits issued for the year.</p> <p><b>Source/Collection of Data:</b> This information is tracked in a database maintained by the Chief Clerk's Office.</p> <p><b>Method of Calculation:</b> This information is pulled from the database maintained in the Chief Clerk's Office and is supplied by a query to the database by the date the permit was signed.</p> <p><b>Data Limitations:</b> None Identified.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Near projections.</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

<b>Explanatory</b> 01-01-02.02	<b>Number of water rights permits issued</b>
<p><b>Short Definition:</b> This measure will report the total number of water rights permits approved by the Executive Director or by the Commissioners.</p> <p><b>Purpose/Importance:</b> To report the number of Water Rights permits issued for the year.</p> <p><b>Source/Collection of Data:</b> This information is tracked in a database maintained by the Chief Clerk's Office.</p> <p><b>Method of Calculation:</b> This information is pulled from the database maintained in the Chief Clerk's Office and is supplied by a query to the database by the date the permit was signed.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Near projections.</p>	
<b>Output</b> 01-01-03.01	<b>Number of new system waste evaluations conducted</b>
<p><b>Short Definition:</b> Audits conducted on generators' self-classification of their industrial waste.</p> <p><b>Purpose/Importance:</b> That wastes are correctly classified to ensure appropriate management, disposal, and fee assessment.</p> <p><b>Source/Collection of Data:</b> The data is collected through the annual waste summary submitted every January by waste generators regulated by the TNRCC. In the case of out-of-state wastes written submissions from the generators is used. Waste streams are audited on a random basis or manually selected from the TRACS database when there is sufficient information to suspect the wastes were classified incorrectly.</p> <p><b>Method of Calculation:</b> On a monthly basis the total number of completed audits is maintained in a division Quattro Pro spreadsheet. On a quarterly basis the total is derived, reconciled against information from the TRACS database, and reported.</p> <p><b>Data Limitations:</b> Data could be impacted by lack of response from generators or incorrect written submissions received from the generators.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Higher than target</p>	
<b>Output</b> 01-01-03.02	<b>Number of corrective actions approved for sites contaminated by solid waste</b>
<p><b>Short Definition:</b> Number of corrective actions approved for hazardous, industrial, and municipal waste sites. For the Municipal Solid Waste Permits (MSW) Section, includes the number of municipal solid waste facility and commercial industrial non-hazardous waste landfill corrective actions.</p> <p><b>Purpose/Importance:</b> This measure quantifies the number of corrective actions approved for hazardous, industrial, and municipal sites contaminated by solid waste. Implementation of corrective actions will result in protection of human health and the environment.</p> <p><b>Source/Collection of Data:</b> Information regarding the number of corrective actions approved for sites contaminated by solid waste is maintained in databases maintained by the Office of Permitting, Remediation, and Registration. Manual records are also maintained.</p> <p><b>Method of Calculation:</b> This measure will be reported by calculating the number of approvals, determinations for no further action, and notices of self implemented cleanups for hazardous and industrial waste sites. For municipal solid waste and commercial industrial non-hazardous waste landfill corrective actions, this calculation will include approvals of investigations and corrective action plans/reports specific to municipal solid waste including Assessment of Corrective Measures, Selection of Remedy, and Implementation of Corrective Action Program.</p> <p><b>Data Limitations:</b> Data collected reflects the actual production. This measure involves review and approval of documents required by agency orders and compliance plans, as well as self-implemented cleanup allowed by the regulations. The agency does not have control over the number of cleanup projects and the types or quality of documentation submitted to pursue self-implemented cleanups.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> Revised</p> <p><b>Desired Performance:</b> Near projections.</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

<b>Output</b> 01-01-03.03	<b>Number of nonhazardous waste permit applications reviewed</b>
<p><b>Short Definition:</b> Number of non-hazardous waste permit applications reviewed. For the Municipal Solid Waste (MSW) Permit Section, includes the number of permit reviews for new or amended MSW storage, treatment, processing, and disposal facilities and new, renewed or amended commercial industrial non-hazardous waste landfill (CINWL) facilities.</p> <p><b>Purpose/Importance:</b> This measure quantifies the number of reviews conducted to ensure proposed facilities meet design and operational requirements and are protective of human health and the environment.</p> <p><b>Source/Collection of Data:</b> Information regarding the status of individual MSW or CINWL permit applications is maintained in a database maintained by the Office of Permitting, Remediation, and Registration, MSW Permits Section. Date of review of a permit is entered into the database by a TNRCC staff member when a permit application is deemed technically complete. Using an agency database maintained by the Office of Permitting, Remediation, and Registration, this measure will calculate the total of (1) the number of final draft permits for new, and/or amended municipal solid waste storage, treatment, and disposal facilities, (2) the number of final draft permits for new, renewed, and/or amended commercial industrial non-hazardous waste landfill facilities, (3) the number of technical completions prepared for municipal solid waste and commercial industrial non-hazardous waste landfills, and (4) the number of municipal solid waste and commercial industrial non-hazardous waste landfill applications denied and withdrawn by the commission.</p> <p><b>Method of Calculation:</b> Totals are calculated by adding the numbers for each category together.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Near Projections</p>	
<b>Output</b> 01-01-03.04	<b>Number of hazardous waste permit applications reviewed</b>
<p><b>Short Definition:</b> Number of permits reviewed, denied or withdrawn. Includes all permitting actions (new, renewed, amended, modified, and Class 1ED) for Underground Injection Control (UIC) Well permits (Class I, Class III, and Class V), radioactive material disposal licenses, hazardous waste permits, commercial industrial non-hazardous waste permits. This also includes regulatory flexibility orders.</p> <p><b>Purpose/Importance:</b> This measure quantifies the number of environmentally protective authorizations recommended by the TNRCC staff.</p> <p><b>Source/Collection of Data:</b> Using an agency database maintained by the Office of Permitting, Remediation, and Registration, this measure will calculate the total of (1) the number of final draft permits for new, renewals, major and minor amendments, Class 1ED, 2, 3 modifications and regulatory flexibility orders for hazardous and industrial waste storage, treatment, and disposal facilities and (2) the number of final draft permits for new, renewed and/or amended underground injection control wells, (3) the number of new, renewed, and/or amended radioactive waste license, (4) the number of final draft permits for new, renewals, major and minor amendments, Class 1ED, 2, 3 modifications for commercial industrial non-hazardous solid waste storage and treatment facilities, and the number of applications returned and/or withdrawn. A reviewed application is defined as: transmittal of the final draft permit from the program to the Chief Clerk's Office or the return/withdrawal of the application to the applicant either by the applicant's request or as the result of administrative or technical deficiencies. For UIC permits and radioactive material disposal licenses - Date of filing of a final draft document with the Chief Clerk is entered into the appropriate databases by the TNRCC staff member who delivers the product to the Chief Clerk's office. The data is checked by supervisor.</p> <p>For hazardous waste permits and commercial industrial non-hazardous permits - Data maintained in agency Paradox database include the facility name, identification number, date application is received, and date reviewed, or returned/withdrawn prior to final draft permit, are entered after the action has occurred. A reviewed application is defined as an application received and the transmittal of the final draft permit from the program to the Office of Chief Clerk.</p> <p><b>Method of Calculation:</b> Totals are calculated by adding the number of completed items together.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Cumulative.</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Near Projections</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

<b>Efficiency</b> <b>01-01-03.01</b>	<b>Percent of waste management permit applications reviewed within established time frames</b>
<p><b>Short Definition:</b> Percent of waste management permit applications reviewed within established time frames</p> <p><b>Purpose/Importance:</b> This measure reports whether the agency is in compliance with established time frames for reviewing permit applications.</p> <p><b>Source/Collection of Data:</b> Using an automated tracking system maintained by the Office of Permitting, Remediation and Registration, this measure will track the number of waste permit applications reviewed during the fiscal year and the number of waste permit applications that were reviewed within the prescribed agency time frames during the fiscal year. A reviewed application is defined as: transmittal of the final draft permit from the program to the Chief Clerk's Office (for those permit applications subject to notice requirements); completion of other final actions (for those permit applications no subject to notice requirements); or the return/withdrawal of the application to the applicant either at the applicant's request or as the result of administrative or technical deficiencies. The percent of waste permit applications reviewed will be derived by dividing the total number of waste permit applications reviewed within the target time frames by the total number of waste permit applications reviewed for the fiscal year. This process will be completed on the following waste permit applications: (1) new, renewals, major and minor amendments, and Class 1, Class 1ED, 2, or 3 modifications for municipal, industrial, and hazardous waste, (2) regulatory flexibility orders for hazardous waste facilities and commercial industrial non-hazardous (storage/treatment only) waste facilities, (3) UIC Class I Injection Well and Class III Injection Wells, and (4) authorizations for UIC Class V Injection Wells. Excluded are the delayed permit applications for interim status closures, protective filings for interim status units that will be permitted with renewals or the combustion strategy implementation.</p> <p><b>Method of Calculation:</b> Query agency databases for the number of applications reviewed and determine those reviewed within established time frames. Express as a percentage.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Near Projections.</p>	
<b>Explanatory</b> <b>01-01-03.01</b>	<b>Number of nonhazardous waste permits issued</b>
<p><b>Short Definition:</b> Number of non-hazardous waste permits issued</p> <p><b>Purpose/Importance:</b> This measure reflects agency workload with regard to the number of permits issued. This measure quantifies the number of permits issued for facilities that are protective of human health and the environment.</p> <p><b>Source/Collection of Data:</b> Using an agency data base maintained by the Office of Permitting, Remediation, and Registration, this measure will be reported by calculating the number of permits issued for municipal facilities and commercial industrial non-hazardous waste landfill facilities in the fiscal year. A permit issued is one that has been signed by either the Executive Director (or designated representative) or by the Commission. Date of issuance of a permit is entered into the database by the TNRC staff member when a copy of the issued permit is received by the Section from the Chief Clerk's Office.</p> <p><b>Method of Calculation:</b> Query agency databases for reported performance. Totals are calculated by adding the number of issued permits together.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Non-Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Near projections.</p>	
<b>Explanatory</b> <b>01-01-03.02</b>	<b>Number of hazardous waste permits issued</b>
<p><b>Short Definition:</b> Number of hazardous waste permits issued.</p> <p><b>Purpose/Importance:</b> This measure reflects agency workload with regard to the number of permits issued.</p> <p><b>Source/Collection of Data:</b> Using an agency data base maintained by the Office of Permitting, Remediation and Registration, this measure will be reported by calculating, the number of permits and licenses issued, for industrial and hazardous waste facilities, commercial industrial non-hazardous (storage and treatment) waste facilities, UIC Class I injection well permits, UIC Class III injection well permits, and radioactive waste licenses. A permit issued is one that has been signed by either the Executive Director (or designated representative) or by the Commission.</p> <p><b>Method of Calculation:</b> Query agency database for reported performance. Totals are calculated by adding the number of issued permits together.</p> <p><b>Data Limitations:</b> None identified.</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

<b>Calculation Type:</b> Non-Cumulative <b>New Measure:</b> No <b>Desired Performance:</b> Near projections.	
<b>Explanatory 01-01-03.03</b>	<b>Number of solid waste sites remediated by responsible parties</b>
<p><b>Short Definition:</b> Number of solid waste sites remediated by responsible parties</p> <p><b>Purpose/Importance:</b> This measure reflects the number of solid waste and commercial industrial non-hazardous waste cleanups completed by responsible parties.</p> <p><b>Source/Collection of Data:</b> Using an agency tracking system and manual record reviews maintained by the Office of Permitting, Remediation, and Registration, this measure will be reported by calculating the number of municipal solid waste and commercial industrial non-hazardous waste landfill facility cleanups completed and funded by responsible parties in accordance with their approved plans during the reporting period. This includes all remediation activities (including groundwater and landfill gas remediations) at permitted municipal solid waste and commercial industrial nonhazardous waste landfill facilities. A cleanup is considered complete upon issuance of a letter by the agency to the responsible party indicating remediation activities have been completed.</p> <p><b>Method of Calculation:</b> Query agency database.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Near projections.</p>	
<b>Explanatory 01-01-03.04</b>	<b>Number of industrial solid waste cleanups</b>
<p><b>Short Definition:</b> The number of approvals of reports documenting that cleanup goals have been achieved at sites contaminated by industrial solid waste and municipal hazardous waste.</p> <p><b>Purpose/Importance:</b> This measure tracks the number of cleanup projects which have been completed. Final completion of remediation projects is the ultimate goal of this agency. It evaluates reduction in the number of contaminated sites across the state and is a true measure of protection of human health and the environment.</p> <p><b>Source/Collection of Data:</b> As responsible parties submit reports documenting attainment of cleanup standards, agency staff review and either comment on or approve the reports. Codes are entered into a database upon approval of reports documenting site cleanups or closures.</p> <p><b>Method of Calculation:</b> Each quarter, cumulative totals of each code are calculated.</p> <p><b>Data Limitations:</b> This measure involves approval of documents required by agency orders and compliance plan, as well as self-implemented cleanup allowed by the regulations. The agency does not have control over the number of cleanup projects and the types of documentation submitted to pursue self-implemented cleanups.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Meet or exceed the target.</p>	
<b>Output 01-01-04.01</b>	<b>Number of point source air quality assessments</b>
<p><b>Short Definition:</b> The number of National Ambient Air Quality Standards (NAAQS) criteria and toxic pollutant industrial point source inventories evaluated and entered into the point source data base.</p> <p><b>Purpose/Importance:</b> Point source data currently collected are quality assured by engineering staff, emissions recalculated where appropriate, and data are formatted and entered into the point source data base. The measure calculates the number of stationary sources of air pollution in Texas which exceed the reporting requirement of 30 TAC Rule 101.0 based on actual or potential levels of emissions. These emissions are in turn used for planning activities such as State Implementation Plans and are submitted to the EPA as required in the Federal Clean Air Act of 1990.</p> <p><b>Source/Collection of Data:</b> Data are collected through inventory surveys submitted annually to the point source staff in the Industrial Emissions Assessment Section.</p> <p><b>Method of Calculation:</b> The count of sources is based on the number of accounts with emissions that are entered into the point source or other electronic database.</p> <p><b>Data Limitations:</b> Data is affected by the number of non-attainment areas in the state or by the NAAQS levels; should the number of non-attainment areas or the level or number of NAAQS change, the number of accounts reviewed will also change.</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

<b>Calculation Type:</b> Cumulative. <b>New Measure:</b> No <b>Desired Performance:</b> Near projections.	
<b>Output</b> 01-01-04.02	<b>Number of area source air quality assessments</b>
<p><b>Short Definition:</b> This assessment is the number of area source categories for which emissions are inventoried or calculated by county and entered into a data base by the Technical Analysis Division. Area sources are defined as a wide variety of sources of air pollution too small and too numerous to identify individually and are expressed in tons of emissions per year and tons per ozone season average weekday. Emissions from area sources are assessed by making regional emissions estimates using either a “top-down” method which applies an EPA approved emission factor to a generic activity indicator such as a county total population or a “bottom-up” method using local area surveys or site inspection data for assessing processes and materials usage of individual categories.</p> <p><b>Purpose/Importance:</b> Area sources cumulatively make up a large sector of air pollution sources including gas stations, consumer products, small printing and painting operations, wildfires, and small industrial and residential combustion sources. Emissions from these sources are included in strategies associated with ozone nonattainment area State Implementation Plans.</p> <p><b>Source/Collection of Data:</b> Data used for this measure come from the number of area source categories for which emissions estimates are developed.</p> <p><b>Method of Calculation:</b> The measure is accounted for by staff reporting the number of area source categories within each geographic area for which emissions are developed.</p> <p><b>Data Limitations:</b> The variety in the level of work performed on any particular area source category limits its usefulness as an easily measured output measure. Also, the measure is not stored in a data base that would easily facilitate calculating this measure.</p> <p><b>Calculation Type:</b> Cumulative  <b>New Measure:</b> No  <b>Desired Performance:</b> Higher than target</p>	
<b>Output</b> 01-01-04.03	<b>Number of mobile source air quality assessments</b>
<p><b>Short Definition:</b> This measure depicts the number of on-road mobile source/ transportation related scenarios evaluated by the Technical Analysis Division. Mobile sources are defined as the eight classes of on-road vehicles for which emissions are estimated in tons of emissions per year and tons per ozone season average weekday.</p> <p><b>Purpose/Importance:</b> Mobile sources in large urban areas comprise a very significant source of air emissions. In some ozone nonattainment areas they are considered the largest source of ozone-forming pollutants. Emissions from these sources are included in strategies associated with ozone nonattainment area State Implementation Plans. Assessments are also used to evaluate the impacts of different vehicle Inspection/Maintenance programs, roadway construction projects and transportation control measures.</p> <p><b>Source/Collection of Data:</b> Assessment counts are dependent on Technical Analysis Division staff reporting. Emission calculations/ assessments are dependent upon the inputs to the MOBILE computer model used to develop emission factors, as well as, the travel activity applied to emission factors to calculate emissions. Variables assessed in different travel scenarios include measured vehicle miles of travel, speeds, fleet composition, fuels, controls in place and other information pertinent to the area of concern. Much of the travel related data is provided by transportation planning agencies both at the state and local level.</p> <p><b>Method of Calculation:</b> The EPA MOBILE computer model is the primary tool used to calculate mobile source emissions. A particular set of inputs to the model will constitute a specific scenario being modeled. Collecting the input data, setting up and running the model, and applying the vehicle activity to estimate emissions for that scenario is considered as one assessment. The number of assessments reported is based on a quarterly summation of weekly staff counts of mobile scenarios run for each week.</p> <p><b>Data Limitations:</b> None identified.  <b>Calculation Type:</b> Cumulative  <b>New Measure:</b> No  <b>Desired Performance:</b> Higher than target</p>	
<b>Output</b> 01-01-04.04	<b>Number of air monitors operated</b>
<p><b>Short Definition:</b> Number of air monitors operated  <b>Purpose/Importance:</b> This measure provides an indication of the agency’s ability to collect scientific data concerning the level of</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

air pollutants to which Texas citizens are being exposed. The number of air monitors operated includes a count of the total number of individual monitors including ozone, nitrogen dioxide, carbon monoxide, sulfur dioxide, air toxics, lead, particulate matter of 10 microns or less, wind speed/direction, etc. A computerized file is maintained by the Monitoring Operations Division which provides information on all monitoring sites.

**Source/Collection of Data:** The manager of the Texas air monitoring networks maintains a computerized file of all air monitors operating at each monitoring site in the state. Deployment personnel provide a written record to the network manager each time they make any changes in equipment at any monitoring site. The manager then updates the computerized file to reflect the network changes.

**Method of Calculation:** The computerized file depicts a site description and a listing of the number of each type of monitor at each site. The file contains formulas which automatically recalculate each time an entry is updated or added. The formulas sum the number of each type of monitor, then sum the totals for each type of monitor to derive a total number of air monitors in operation. Each quarter, the computerized file is printed in hard copy and the totals are calculated manually to verify the accuracy of the computerized file.

**Data Limitations:** This measure provides a reliable indication of the state's air pollution monitoring capability. The number of air monitors in operation across the state is limited by funding and staffing levels as well as by equipment failures.

**Calculation Type:** Non-cumulative

**New Measure:** No

**Desired Performance:** Higher than target

**Efficiency**  
01-01-04.01

**Percent of data collected by TNRCC continuous and non-continuous air monitoring networks**

**Short Definition:** Percent of data collected by TNRCC continuous and non-continuous air monitoring networks.

**Purpose/Importance:** The percent of valid data collected by the TNRCC continuous and non-continuous air monitoring networks allows a comparison of state performance to federal monitoring requirements.

**Source/Collection of Data:** Valid measurements are defined as measurements which meet federal monitoring criteria. Total possible measurements for continuous monitoring are defined as the number of samples which should theoretically be collected during the reporting period. Only TNRCC data will be reported in this measure, and the source of the data will be TNRCC's automated data collections systems for continuous data and TNRCC's non-continuous air monitoring databases for non-continuous data. The data will be reported during the quarter in which it is validated (the quarter after it is collected), and the sampling periods will be as follows as required by federal regulations: January-March, April-June, July-September, and October-December.

**Method of Calculation:** The percentage of valid data collected for each pollutant will be determined by dividing the number of valid measurements by the total possible measurements, then multiplying by 100. The percent of valid data collected by the networks will be determined by summing the percentages of valid data collected for all pollutants measured and dividing by the number of pollutants measured.

**Data Limitations:** None identified.

**Calculation Type:** Non-cumulative

**New Measure:** Yes

**Desired Performance:** Near Projections.

**Efficiency**  
01-01-04.02

**Average cost per air quality assessment**

**Short Definition:** This measure accounts for the funds expended by the Technical Analysis Division on salaries and other operating expenses related to staff working on air quality assessments divided by the number of assessments performed during the period.

**Purpose/Importance:** This measure reflects agency efforts to produce air quality assessments in an efficient manner. It also relates operating expenses to a combination of three output measures; point source assessments, area source assessments and mobile source assessments.

**Source/Collection of Data:** Operating expense data is taken from USAS reports for the Technical Analysis Division. The number of assessments for the period are compiled by staff in the Industrial Emissions Assessment Section for point source assessments and the Area and Mobile Source Assessment Section for both area and mobile source assessments.

**Method of Calculation:** Using budgetary figures maintained by the Technical Analysis Division, this measure will be reported by: (1) identifying the total funds expended and encumbered through the reporting period of salaries and operating costs for staff performing air quality assessments, (2) collect and combine point, area and mobile air quality assessment outputs, and (3) divide the total identified expenses by the total number of point source, area source, and mobile source air quality assessments conducted during the reporting period to derive an average cost per assessment.



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

<p><b>Data Limitations:</b> Since the outputs used to calculate this measure are not reported from a computer data file but are dependent on staff recording and reporting the number of assessments conducted, the reporting process is time consuming and subject to large variation. The resources expended on assessments vary widely between the different types of assessments, and the work load for mobile and area source assessments is highly dependent on customer demand.</p> <p><b>Calculation Type:</b> Non-cumulative.</p> <p><b>New Measure:</b> No.</p> <p><b>Desired Performance:</b> Near or below projections.</p>	
<b>Explanatory</b> 01-01-04.01	<b>Number of days ozone exceedances are recorded in Texas</b>
<p><b>Short Definition:</b> The number of days that ozone standards are exceeded by more than one National Air Monitoring Site in any urban area.</p> <p><b>Purpose/Importance:</b> The measure reflects compliance with National Ambient Air Quality Standards.</p> <p><b>Source/Collection of Data:</b> This information is tracked using the TNRCC's air quality database.</p> <p><b>Method of Calculation:</b> The sum of days by urban area that the ozone standards are exceeded. Ozone exceedances will be monitored by the National Air Monitoring Site (NAMS) network. If more than one NAMS site in any urban area exceeds the standards on any given day, that day would only count once. The exceedance will be based on the NAAQS standard in place at the beginning of the fiscal year( to be updated as necessary) for ozone.</p> <p><b>Data Limitations:</b> The measure depends on which federal standard (8 hour or 1hour) is in place.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p>	
<b>Output</b> 01-01-05.01	<b>Number of surface water assessments</b>
<p><b>Short Definition:</b> Number of surface water assessments includes a diverse assemblage of assessment types performed and reported by multiple divisions within the agency.</p> <p><b>Purpose/Importance:</b> The measure attempts to quantify the surface water quality assessment activities of the agency. Assessment of water quality is essential to identification of impacted water bodies, development of water quality standards, and development of effluent standards from wastewater discharges.</p> <p><b>Source/Collection:</b> The Technical Analysis Division (TAD) of the Office of Environmental Policy Analysis and Assessment (OEPAA) performs and reports Clean Rivers Program Assessment report, Clean Rivers Program Special Projects, Clean Water Act §319 NPS Assessment Reports, Clean Water Act §319 NPS Management Program, and, Clean Water Act §319 Annual Report. The Water Permits and Resource Management (WPRM) of the OPRR performs and reports Waste Load Evaluations, Water Quality Management Plan updates, and Receiving Water Assessments. The Strategic Assessment Division (SAD) of the OEPAA performs and reports Total Maximum Daily Loads. The PRD of the OEPAA performs and reports State-of-the-Bay Reports. The Monitoring Operations Program (MOP) of Office of Compliance and Enforcement (OCE) performs and reports Clean Water Act §305(b) report and Water Body System Update, Clean Water Act Section 303(d) list, intensive surveys, and, special studies.</p> <p><b>Method of Calculation:</b> The assessments are tracked manually and reported to the Strategic Planning and Appropriations Division by the respective division identified along with any explanation of variance required. Assessments performed by Office and sum of all assessments are reported quarterly for the agency by the Strategic Planning and Appropriations Division.</p> <p><b>Data Limitations:</b> The individual assessments included in the measure range from assessments requiring as little as one week to five years to complete. Certain assessments come due every year, every other year, every three years or every five years. Some assessments are grant deliverables which occur only once based on completion of the particular grant tasks. Other assessments, such as receiving water assessments (RWA's), special studies and hydraulic studies are performed as needed based on permitting demands for documentation of stream conditions, stream standards, and reasonable uses. Within the Fiscal Year, the performance for the number of surface water assessments varies from quarter to quarter. It's not a straight-line projection and it cannot be normalized. Field work is generally done in the first quarter (fall) and the fourth quarter (summer) when critical low flow conditions occur.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Near projections.</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

<b>Output</b> 01-01-05.02	<b>Number of groundwater assessments</b>
<p><b>Short Definition:</b> Number of groundwater assessments. The reports completed evaluate environmental or programmatic data related to groundwater quality or quantity issues.</p> <p><b>Propose/Importance:</b> The measure attempts to quantify the groundwater assessment activities of the agency. The measure includes a diverse grouping of assessment types performed and reported by multiple divisions within the agency. Assessments range in complexity and effort from a basic data report compiling and analyzing the results of a field sampling trip to a major report evaluating the water resources, future demand and recommended management strategies for a multi-county area. Assessment of groundwater quality and quantity issues is essential to the protection and conservation of limited groundwater resources.</p> <p><b>Source/Collection:</b> The Technical Analysis Division (TAD) of the Office of Environmental Policy Analysis and Assessment (OEPAA) performs and reports groundwater quality assessments, regional groundwater vulnerability assessments, groundwater management program assessments, pesticides in groundwater assessments for a range of state and federal mandates. The WPRM of the OPRR performs and reports UIC Class V assessments for facility authorizations of regulated entities. The Water Permits and Resource Management Division (WPRM) of the OPRR performs and reports groundwater impact assessments for facility applications of regulated entities.</p> <p><b>Method of Calculation:</b> The assessments will be tracked manually and reported to the Strategic Planning and Appropriations Division by the respective division identified above along with any explanation of variance required. The number of assessments by Office and the total of all assessments are reported quarterly for the agency by the Strategic Planning and Appropriations Division.</p> <p><b>Data Limitations:</b> The individual assessments included in the measure range from assessments requiring as little as one week to one year to complete. Certain assessments come due each year and some every other year. Some assessments address federal or state mandates which may vary little or greatly from one fiscal year to the next. Other assessments, such as Class V assessments and wastewater facility groundwater impact assessments are performed as needed based on the demand for services associated with applications for facility authorization filed by regulated entities. Within the Fiscal Year, the performance for the number of assessments varies from quarter to quarter. A straight-line projection of performance cannot describe the assessment activities the distribution cannot be normalized over a given time frame.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Near projections.</p>	
<b>Output</b> 01-01-05.03	<b>Number of dam safety assessments</b>
<p><b>Short Definition:</b> Number of dam safety assessments.</p> <p><b>Purpose/Importance:</b> The measure reflects agency workload associated with ensuring the safety of dams in the state. Assessments are conducted to ensure the safe design, construction, maintenance, repair and removal of dams in the state</p> <p><b>Source/Collection of Data:</b> Using the Dam Safety Project Tracking Database, this measure is the total number of dam safety assessments completed in the reporting period. Assessments include on-site investigations as well as in-house review of plans and specifications for dams, spillway adequacies, breach analyses, emergency action plans, engineering reports and water use permit applications involving dams. Assessments are conducted to ensure the safe design, construction, maintenance, repair and removal of dams in the state.</p> <p><b>Method of Calculation:</b> Query of agency database.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Near Projections.</p>	
<b>Output</b> 01-01-05.04	<b>Number of river basins for which water availability modeling has been completed</b>
<p><b>Short Definition:</b> Number of river basins for which water availability modeling has been completed</p> <p><b>Purpose/Importance:</b> This measure addresses the extent to which water availability modeling has been completed for the state of Texas. This measure is the number of water availability models that have been completed out of the 22 basins that were directed to be modeled as specified in Senate Bill 1, Acts of 1997 Texas Legislature, Regular Session, Chapter 1010. The water availability modeling for a river basin will be considered complete at the conclusion of the process of developing or acquiring a model, collecting necessary data as inputs for the model and performing the modeling computations for the river basin to answer the questions set forth in Senate Bill 1 (amending Section 16.012, Texas Water Code).</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

<p><b>Source/Collection of Data:</b> The number of basins for which water availability modeling (WAM) has been completed is kept in a log by the WAM Project Manager.</p> <p><b>Method of Calculation:</b> The number of basins for which water availability modeling has been completed is counted by the WAM Project Manager.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Higher than target</p>	
<b>Efficiency</b> 01-01-05.01	<b>Average cost per groundwater assessment</b>
<p><b>Propose/Importance:</b> The measure quantifies the average cost of conducting groundwater assessments.</p> <p><b>Source/Collection:</b> The expenditures in support of groundwater assessments of each division are recorded in USAS with project PCA code identifiers. Each division reviews agency USAS reports for expenditures posted to the appropriate project PCA code for groundwater assessments.</p> <p><b>Method of Calculation:</b> At the end of each quarter (reporting period), cumulative expenditures for the project and a cost estimate of the most recent month's labor costs are combined and divided by the cumulative number of groundwater assessments to produce the average cost per assessment. The measure is reported to the Strategic Planning and Appropriations Division by the respective division identified above along with any explanation of variance required.</p> <p><b>Data Limitations:</b> The average cost measure provides limited information on agency performance. The wide variety of assessment types results in widely varying actual costs for any given assessment, which often skew the efficiency measure. In addition, the agency accounting system does not allow expenditure tracking on a per assessment basis. The average cost is calculated on the basis of assessments completed compared to total expenditures for the reporting period. Expenditures for uncompleted, longer-term assessments are included in total expenditures. Total expenditures do not reflect the true cost of assessments and overestimate the average cost per assessment in the first half of the year.</p> <p><b>Calculation Type:</b> Not cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Equal to or Less Than the projection</p>	
<b>Efficiency</b> 01-01-05.02	<b>Average cost per dam safety assessment</b>
<p><b>Short Definition:</b> Average cost per dam safety assessment completed. Assessments include on-site investigations as well as in-house review of plans and specifications for dams, spillway adequacies, breach analyses, emergency action plans, engineering reports and water use permit applications involving dams.</p> <p><b>Purpose/Importance:</b> Assessments are conducted to ensure the safe design, construction, maintenance, repair and removal of dams in the state. The average cost measures how efficiently these assessments are conducted.</p> <p><b>Source/Collection of Data:</b> Field investigators enter investigation information into the Dam Safety database or its successor. Each reporting period Field Operations retrieves from the database the number of assessments completed. USAS expenditure figures are used to determine costs.</p> <p><b>Method of Calculation:</b> Database query retrieves the total number of assessments completed during the reporting period. Average cost per assessment is calculated by dividing total funds expended as reported in USAS for dam safety assessments, by the total number of dam safety assessments conducted through the reporting period.</p> <p><b>Data Limitations:</b> Average cost figures may vary considerably due to the number and complexity of assessments performed.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> An average cost lower than projected is desirable.</p>	
<b>Explanatory</b> 01-01-05.01	<b>Annual percent decrease in per capita water use</b>
<p><b>Short Definition:</b> Annual percent decrease in per capita water use</p> <p><b>Purpose/Importance:</b> This measure indicates the effectiveness of water conservation programs state-wide. Using figures collected and calculated by the Texas Water Development Board (TWDB), this measure will report the percent decrease in per capita water use each year, as reported to the TNRCC by the TWDB.</p> <p><b>Source/Collection of Data:</b> The Texas Water Development Board collects and calculates this information. Staff from the TNRCC Water Uses &amp; Availability Section contact the TWDB on an annual basis and request the information.</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

<p><b>Method of Calculation:</b> The measure is calculated by subtracting the current year's per capita water use by last year's per capita water use and dividing the result by last year's per capita water use.</p> <p><b>Data Limitations:</b> Population estimates contain some margin of error that would affect per capita water use amounts.</p> <p><b>Calculation Type:</b> Non-cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Higher than target</p>	
<b>Explanatory</b> 01-01-05.02	<b>Percent of Texas' rivers, streams, wetlands and bays protected by site-specific water quality standards</b>
<p><b>Short Definition:</b> Percent of Texas' rivers, streams, wetlands and bays protected by site-specific water quality standards</p> <p><b>Purpose/Importance:</b> The Texas Surface Water Quality Standards establish explicit numerical goals for water quality in the surface waters of Texas. The percentage of water bodies which have been assigned site-specific water quality standards is a measure of how well the standards have been tailored to individual water bodies and in the state. Using the Texas Water Quality Inventory, the percentage of state waters with designated site-specific standards is determined for each major water body type. These numbers are then averaged in order to develop a single statewide percentage. Calculated annually.</p> <p><b>Source/Collection of Data:</b> The TNRCC Texas Water Quality Inventory is used as a data source to provide the size of individual water bodies, and also to provide the total amount of each water body type in the state. The Water Quality Inventory is a publicly available document which is periodically reviewed and updated by TNRCC. The Texas Surface Water Quality Standards, which are established as Chapter 307 in Title 30 of the Texas Administrative Code, are used to determine the list of water bodies which are assigned site-specific water quality standards.</p> <p><b>Method of Calculation:</b> For this measure, water body types are defined as rivers, reservoirs, estuaries, and wetlands. The amount of (area or length) of "classified" waters with site-specific standards is determined for each water body type from the Texas Water Quality Inventory [305(b) report]. The length of partially-classified streams is calculated from the current Texas Surface Water Quality Standards and added to the total of rivers with site-specific standards. The length of partially-classified streams is calculated by multiplying the number of partially-classified streams in Appendix D of the standards by the average length of these streams (6.3 miles). To determine the total amount of each water body type in the state (classified and unclassified), information in the 1996 Texas Water Quality Inventory is used as a baseline, except for reservoirs. For reservoirs, the total amount is based on the 1994 water quality inventory, since this total is not reported in the 1996 inventory. Newly constructed major reservoirs are added to the base total when they are completed. The % of waters with standards is calculated for each water body type = 100 x (the amount of classified and partially-classified waters / the total amount of that water body type). Then the percentages of each water body type with site-specific standards are averaged to obtain a single statewide percentage.</p> <p><b>Data Limitations:</b> The designation of water bodies with site-specific standards is typically revised every three years. Therefore, the rate of change of this measure is relatively slow.</p> <p><b>Calculation Type:</b> Non-cumulative.</p> <p><b>New Measure:</b> No.</p> <p><b>Desired Performance:</b> Higher than target.</p>	
<b>Explanatory</b> 01-01-05.03	<b>Number of regional action plans implemented</b>
<p><b>Short Definition:</b> Number of regional action plans implemented</p> <p><b>Purpose/Importance:</b> Number of projects implemented under an action item adopted as part of a regional action plan such as a comprehensive conservation and management plan.</p> <p><b>Source/Collection of Data:</b> Number of projects implemented under an action item adopted as part of a regional action plan such as a comprehensive conservation and management plan. This information will be calculated through a manual calculation by the Office of Water Permits and Resource Management.</p> <p><b>Method of Calculation:</b> This information will be calculated through a manual calculation by the Office of Water Permits and Resource Management.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Cumulative.</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Near projections</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

<b>Explanatory</b> 01-01-05.04	<b>Number of dams in the Texas Dam Inventory</b>
<p><b>Short Definition:</b> Number of dams in the Texas Dam Inventory</p> <p><b>Purpose/Importance:</b> This measure reflects the number of dams in the state subject to dam safety assessments.</p> <p><b>Source/Collection of Data:</b> The Dam Safety Team in the Field Operations Division will use information from field inspections and new water rights permit applications to maintain and update an existing database of approximately 7200 dams. The database will be updated quarterly by the additional listing of new dams and updated changes in the attributes of existing dams.</p> <p><b>Method of Calculation:</b> The database will be queried for the number of existing dams in the database.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Near projections.</p>	
<b>Output</b> 01-01-06.01	<b>Number of municipal solid waste facility capacity assessments</b>
<p><b>Short Definition:</b> The number of annual capacity assessments for municipal solid waste landfills reviewed by the Waste Planning Team.</p> <p><b>Purpose/Importance:</b> To gather current and accurate landfill capacity data to assist in the development of state strategic solid waste management plans required by legislation (Chapter 361, Texas Health &amp; Safety Code), and in the development of regional solid waste management plans required by legislation (Chapter 363, Texas Health &amp; Safety Code). This information is critical in determining whether sufficient disposal capacity exists to manage the quantity of municipal solid waste generated in the state.</p> <p><b>Source/Collection of Data:</b> Capacity assessment forms are sent annually to municipal solid waste landfills by the Waste Planning Team. The returned forms are reviewed for consistency with previously reported capacity data, as well as for consistency with related permit and fee data. Data is then entered into a computer database.</p> <p><b>Method of Calculation:</b> Capacity is reported in cubic yards, and landfill compaction rates in pounds per cubic yard, as based on actual field measurements or on allowable estimation methods. With this data, capacity is then converted to tons. Landfill life expectancy in years is then projected by dividing the capacity in tons by the number of tons disposed of in landfills during the annual reporting period.</p> <p><b>Data Limitations:</b> The number of capacity assessments depends wholly on the number of permitted landfills in the state. This number may be affected by the issuance of new permits as well as facility closures. Therefore, there may be some variance from the projected number of assessments. A number of landfills report capacity and compaction estimates rather than the results of actual field measurements. In addition, projected landfill life expectancies assume no changes in reported landfill size, disposal amounts, and compaction rates. Further, only about 41% of total waste disposal is determined by actual scale weight, with the majority of waste disposal in the state determined by volume estimates.</p> <p><b>Calculation Type:</b> Cumulative.</p> <p><b>New Measure:</b> No.</p> <p><b>Desired Performance:</b> Near projections.</p>	
<b>Output</b> 01-01-06.02	<b>Number of hazardous waste and industrial nonhazardous waste surveys conducted</b>
<p><b>Short Definition:</b> The number of surveys conducted to verify waste amounts and capacity for hazardous waste/industrial nonhazardous waste facility needs assessments.</p> <p><b>Purpose/Importance:</b> To collect current and accurate information necessary to prepare the hazardous waste/nonhazardous industrial waste needs assessments required by legislation (Chapter 361, Texas Health &amp; Safety Code). This information is critical in determining whether sufficient treatment and disposal capacity exists to manage the quantity of hazardous waste/nonhazardous industrial waste generated in the state.</p> <p><b>Source/Collection of Data:</b> Two different types of surveys are conducted. The Registration &amp; Reporting Section conducts surveys annually to verify waste amounts. The Waste Planning Team conducts surveys biennially to assess available treatment and disposal capacity. Each staff unit tracks survey activities using master calendars.</p> <p><b>Method of Calculation:</b> The number of surveys conducted each quarter is obtained by manually tallying all survey information recorded in the master calendars maintained by the Waste Planning Team and the Registration &amp; Reporting Section.</p> <p><b>Data Limitations:</b> The number of capacity assessment surveys depends wholly on the number of permitted facilities in the state. This number may be affected by the issuance of new permits as well as facility closures. Therefore, there may be some variance from the projected number of capacity assessment surveys. By comparison, the number of waste amount verification surveys depends on the number of apparent discrepancies noted in reported data. Therefore, through gaining greater consistency and</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

<p>efficiency in data reporting, the desired performance is somewhat lower than the projected target. The amounts of waste reported are typically by actual scale weight or accurate volumetric measurements. However, administrative errors by the waste generators do occur in transferring data from multiple manifests, such that reported waste amounts are subject to verification. By comparison, disposal and treatment capacity assessments are not typically subject to verification, since treatment capacities are determined by permit, and disposal capacities are for the most part determined by actual field measurements.</p> <p><b>Calculation Type:</b> Cumulative.  <b>New Measure:</b> No.  <b>Desired Performance:</b> Near projections.</p>	
<b>Efficiency</b> 01-01-06.01	<b>Average cost per municipal solid waste facility capacity assessment</b>
<p><b>Short Definition:</b> Average cost per municipal solid waste facility capacity assessment  <b>Purpose/Importance:</b> This measure reflects agency efforts to conduct municipal solid waste facility capacity assessments in an efficient manner.  <b>Source/Collection of Data:</b> Using USAS expenditure figures maintained by the Office of Environmental Policy, Analysis and Assessment, this measure will be reported by calculating the total funds expended and encumbered through the reporting period for municipal solid waste facility capacity management assessments, divided by the total number of municipal solid waste facility capacity assessments conducted through the reporting period.  <b>Method of Calculation:</b> Using USAS expenditure figures maintained by the Office of Environmental Policy, Analysis and Assessment, this measure will be reported by calculating the total funds expended and encumbered through the reporting period for municipal solid waste facility capacity management assessments, divided by the total number of municipal solid waste facility capacity assessments conducted through the reporting period.  <b>Data Limitations:</b> None identified.  <b>Calculation Type:</b> Non-cumulative  <b>New Measure:</b> Yes  <b>Desired Performance:</b> Near or below projections.</p>	
<b>Explanatory</b> 01-01-06.01	<b>Number of Council of Government regions in the state with less than 10 years of disposal capacity</b>
<p><b>Short Definition:</b> Out of the 24 Council of Government (COG) regions in the state, the number with less than 10 years of projected municipal solid waste landfill capacity remaining.  <b>Purpose/Importance:</b> To identify those regions of the state with projected capacity shortfalls, which may require more detailed solid waste management planning, possibly at the local level.  <b>Source/Collection of Data:</b> Capacity data obtained through the annual reporting program for municipal solid waste landfills is used.  <b>Method of Calculation:</b> Capacity data entered into the program database is sorted geographically by COG region. Capacity is reported in cubic yards, and landfill compaction rates in pounds per cubic yard, as based on actual field measurements or on allowable estimation methods. With this data, capacity is then converted to tons. Landfill life expectancy in years for each COG region is then projected by dividing the capacity in tons by the number of tons disposed of in landfills during the annual reporting period.  <b>Data Limitations:</b> A number of landfills report capacity and compaction estimates rather than the results of actual field measurements. In addition, projected landfill life expectancies assume no changes in reported landfill size, disposal amounts, and compaction rates. Further, only about 41% of total waste disposal is determined by actual scale weight, with the majority of waste disposal in the state determined by volume estimates. (It should be noted that this measure makes no distinction between the disposal capacity located in a particular region and the disposal capacity that may be available to a particular region by nature of that capacity being located within a reasonable distance in a neighboring region.)  <b>Calculation Type:</b> Non-cumulative.  <b>New Measure:</b> No.  <b>Desired Performance:</b> To have no region of the state with less than 10 years of remaining disposal capacity at any time.</p>	
<b>Output</b> 01-01-07.01	<b>Number of on-site technical assistance visits</b>
<p><b>Short Definition:</b> Total number of technical pollution prevention/waste minimization site assistance visits conducted by Pollution Prevention and Industry Assistance staff.  <b>Purpose/Importance:</b> This measure provides an indication of Pollution Prevention and Industry Assistance staff's ability to</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)

<p>conduct outreach and information dissemination of technical pollution prevention information to Texas industries.  <b>Source/Collection of Data:</b> Site visits are tracked by Pollution Prevention and Industry Assistance staff, who include site visit information into the section's weekly reports. This information is then pulled from the weeklies and entered into a Paradox database.  <b>Method of Calculation:</b> The number of site visits conducted during each quarter are summed. Fiscal year totals are calculated by adding quarterly totals.  <b>Data Limitations:</b> None identified.  <b>Calculation Type:</b> Cumulative.  <b>New Measure:</b> No.  <b>Desired Performance:</b> Higher than target.</p>	
<b>Output</b> 01-01-07.02	<b>Number of presentations and workshops on pollution prevention and waste minimization conducted</b>
<p><b>Short Definition:</b> Total number of pollution prevention/waste minimization workshops and presentations conducted by Pollution Prevention and Industry Assistance staff.  <b>Purpose/Importance:</b> This measure provides an indication of Pollution Prevention and Industry Assistance staff's ability to conduct outreach and information dissemination of pollution prevention information to Texas businesses and organizations.  <b>Source/Collection of Data:</b> Workshops and presentations are tracked by Pollution Prevention and Industry Assistance staff, who include workshop and presentation information into the section's weekly reports. This information is then pulled from the weeklies and entered into a Paradox database.  <b>Method of Calculation:</b> The number of workshops and presentations conducted during each quarter are summed. Fiscal year totals are calculated by adding quarterly totals.  <b>Data Limitations:</b> None identified.  <b>Calculation Type:</b> Cumulative.  <b>New Measure:</b> No.  <b>Desired Performance:</b> Higher than target.</p>	
<b>Output</b> 01-01-07.03	<b>Number of governmental entities, industries, businesses, institutions and organizations joining the Clean Texas voluntary environmental leadership program</b>
<p><b>Short Definition:</b> Number of governmental entities, industries, businesses, institutions and organizations joining the Clean Texas voluntary environmental leadership program.  <b>Purpose/Importance:</b> This measure reflects the agency workload associated with the new Clean Texas program.  <b>Source/Collection of Data:</b> This measure will be reported by calculating the number of participants in the agency's new Clean Texas Program at the Leader, Partner and Advocate levels. This information is maintained by the Small Business and Environmental Assistance Division in a computerized database. The measure counts new members joining the Clean Texas program in that report period. If a company joins again after completing its three-year commitment at the Partner or Leader level, it would be counted as a new member in the fourth year.  <b>Method of Calculation:</b> Query of database.  <b>Data Limitations:</b> None identified.  <b>Calculation Type:</b> Cumulative  <b>New Measure:</b> Yes  <b>Desired Performance:</b> Near projections.</p>	
<b>Output</b> 01-01-07.04	<b>Number of quarter of used oil diverted from landfills and processed</b>
<p><b>Short Definition:</b> Number of quarter of used oil diverted from landfills and processed  <b>Purpose / Importance:</b> This number indicates the amount of used oil which, if not received by the registered collection centers, would otherwise be delivered to landfills or improperly disposed, potentially causing harm to human health and the environment. The number is a quantitative measurement of pollution prevention. This number represents the total volume of used oil, expressed in quarts, which were reported to the agency by Used Oil Collection Centers. The Collection Centers collect and prepare the oil for recycling before reuse or resale to the public. The reports are due January 25 of each year for the previous year's activity.  <b>Source / Collection of Data:</b> This number is obtained from the quantities of oil reported on TNRCC Form 0567, <i>Annual Report for Used Oil and Used Oil Filter Collection Centers</i>, from the box titled "Total Gallons of Used Oil Collected". Since the report is due</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

<p>on January 25 of each year for the previous year's activity, only one number is used and is reported for the second quarter and again for the Year-to-Date Performance.</p> <p><b>Data Limitations:</b> Some collection centers in previous years have reported the same oil twice, including the oil they transport as oil collected. This would make the number larger than it actually is. TNRCC staff continues to work with the collection centers to ensure that reported values are accurate and representative of actual oil collected.</p> <p><b>Calculation Type:</b> Non-cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Equal to projected performance.</p>	
<b>Efficiency</b> 01-01-07.01	<b>Average cost per on-site technical assistance visit</b>
<p><b>Short Definition:</b> The average cost of each technical site assistance visit performed by Pollution Prevention and Industry Assistance staff.</p> <p><b>Purpose/Importance:</b> This measure provides an indication of staff's ability to provide pollution prevention assistance and training in a cost-effective, efficient manner.</p> <p><b>Source/Collection of Data:</b> Use USAS expenditure figures maintained by the Small Business and Environmental Assistance Division to calculate the total funds expended and encumbered through the reporting period for on-site technical assistance visits. This is then divided by the total number of on-site visits to determine an average cost per visit for the reporting period.</p> <p><b>Method of Calculation:</b> Non-cumulative.</p> <p><b>Data Limitations:</b></p> <ul style="list-style-type: none"> <li>● Average cost per site visit may not necessarily be an indicator of staff efficiency.</li> <li>● Certain areas in Texas are more expensive to visit; travel to those locations incurs more costs than visits to other locations even when staff efficiency is high.</li> </ul> <p><b>Calculation Type:</b> Non-cumulative.</p> <p><b>New Measure:</b> No.</p> <p><b>Desired Performance:</b> Lower than target.</p>	
<b>Explanatory</b> 01-01-07.01	<b>Tons of hazardous waste reduced as a result of pollution prevention planning</b>
<p><b>Short Definition:</b> This measure indicates the level of hazardous waste reduction by Texas facilities and provides information regarding the agency's efforts to reduce toxics released in Texas.</p> <p><b>Purpose/Importance:</b> This information is not measured by any other program at the TNRCC and provides information that is independent of economic factors such as production.</p> <p><b>Source/Collection of Data:</b> The source of the data is the information provided by facilities on the annual progress report required by Waste Reduction Policy Act (WRPA). This information is maintained in a Paradox database.</p> <p><b>Method of Calculation:</b> The measure is calculated by adding up the source reduction number from all facilities reporting.</p> <p><b>Data Limitations:</b> Data is dependent upon accurate and timely reporting by facilities.</p> <p><b>Calculation Type:</b> Non-cumulative.</p> <p><b>New Measure:</b> Yes</p> <p><b>Desired Performance:</b> Above projections.</p>	
<b>Explanatory</b> 01-01-07.02	<b>Tons of waste collected by local and regional collection and cleanup events coordinated/assisted by TNRCC</b>
<p><b>Short definition:</b> The tons of waste collected through household hazardous waste, agricultural chemical waste, and empty pesticide container collections and cleanup events, including river and lake and rural cleanups, coordinated, sponsored or assisted by TNRCC.</p> <p><b>Purpose/Importance:</b> This measure provides data on how much household hazardous waste, agricultural waste chemicals and litter was collected and properly disposed of in Texas, thus reducing the impact on the environment.</p> <p><b>Source/Collection of Data:</b> Manual count of agency records. This data reports submitted by entities holding events.</p> <p><b>Method of Calculation:</b> Summation of all related events in Texas.</p> <p><b>Data Limitations:</b> Data quality is limited to quality of reports submitted to agency.</p> <p><b>Calculation type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Higher than target</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

<b>Explanatory 01-01-07.03</b>	<b>Tons of agricultural waste chemicals collected by TNRCC-sponsored entities</b>
<p><b>Short definition:</b> The tons of agricultural waste chemicals collected by agency contractors. The contractor(s) will report to the agency the amount of all agricultural waste chemicals weighed and measured at each collection.</p> <p><b>Purpose/Importance:</b> This measure provides data on how much agricultural waste chemicals were collected and properly disposed of in Texas, thus reducing the impact on the environment.</p> <p><b>Source/Collection of Data:</b> The contractor(s) will report to the agency the amount of all agricultural waste chemicals weighed and measured at each collection.</p> <p><b>Method of Calculation:</b> Summation of weights of wastes collected at events reported by contractors.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Higher than target.</p>	
<b>Explanatory 01-01-07.04</b>	<b>Number of registered waste tire facilities and transporters</b>
<p><b>Short Definition:</b> Number of Registered Waste Tire Facilities and Transporters.</p> <p><b>Purpose / Importance:</b> The number depicts the quantity of regulated facilities involved in scrap tire management, who have complied with the agency's rules and provide reports on tire management and recycling. The number can also indicate any trends in scrap tire management, such as increase or decrease in number of facilities from year to year.</p> <p><b>Source / Collection of Data:</b> The number is obtained from either the Tires Management System (TMS) or a Paradox file from TMS. This number represents the universe of facilities which either transport, store, process, recycle or burn for energy recovery, scrap tires.</p> <p><b>Calculation Method:</b> The Registration &amp; Reporting Section registers and maintains data on these facilities. The number is a sum total of all entries in the database.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Non-cumulative</p> <p><b>New Measure:</b> Yes, the measure was previously titled, "Number of registered waste tire processors". This title does not encompass all the entities which TNRCC is required by Texas Health and Safety Code §361.112 to register. Since there is no longer a Waste Tire Recycling Fund, which reimbursed and tracked processors for payment, there is no longer justification to track only processors for this measure, and not include the other aspects of tire management.</p> <p><b>Desired Performance:</b> Near projections.</p>	
<b>Outcome 01-02.01</b>	<b>Percent of Texas population served by public water systems which meet primary drinking water standards</b>
<p><b>Short Definition:</b> This measure will report the total Texas residential population of all community public water systems which have not had Maximum Contaminant Level (MCL) violations.</p> <p><b>Purpose/Importance:</b> Measures the success of our performance outputs and all regulatory activities conducted by TNRCC to protect the public health of Texans receiving water from a public drinking water system. This measure reflects the percent of the population in Texas served by drinking water systems which meet drinking water standards.</p> <p><b>Source/Collection of Data:</b> Population information is gathered during each sanitary survey of a public water system (PWS) conducted by field staff. Violation data is obtained from the review of chemical and microbiological data which is either submitted to TNRCC from certified laboratories after samples are collected by PWS personnel or contract sample collectors. Original inspection reports as well as Chemical and Microbiological data are kept in the Central Records facility located in Building F, first floor. Population data is kept in a data base table called G:\inven\Sysmstr while violation data is kept in a table called G:\inven\violations.</p> <p><b>Method of Calculation:</b> Using the Public water supply inventory and the violation data bases, the measures will report the total Texas residential population of all PWSs which have not had Maximum Contaminant Level (MCL) violations as described by the Drinking Water Standards. This population figure is divided by the total population served by all community water systems, multiplied by 100 to derive a percentage.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Non-cumulative.</p> <p><b>New Measure:</b> No.</p> <p><b>Desired Performance:</b> Above projections.</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

<b>Outcome 01-02.02</b>	<b>Percent of Texas population served by public water systems, using vulnerable sources, protected by a source water protection program</b>
<p><b>Short Definition:</b> The percent of Texas residential population served by public water systems, using vulnerable sources which have implemented a source water protection program, expressed as a ratio of the population of PWS systems relying upon vulnerable drinking water sources and participating in a SWP program divided by the total population relying upon vulnerable drinking water sources, multiplied by 100 to derive a percentage. Vulnerable sources are defined as aquifers and small watershed reservoirs which are highly susceptible (as determined by the program) to microbiological and chemical contamination.</p> <p><b>Purpose/Importance:</b> This measure addresses the extent to which source water protection services are being provided by the strategy to potentially vulnerable public water systems. Services provided include identification of the sensitive contributing areas; identification of all potential sources of contamination (PSOC) in these areas; a site-specific report that explains the threats presented by these PSOCs; and recommendations on how to eliminate or minimize those threats. Experience has shown that it is far more cost-effective and efficient to prevent a water source from being contaminated than to remediate it.</p> <p><b>Source/Collection of Data:</b> TNRCC personnel and/or source water protection out source contractor personnel establish contact with individual PWS systems in vulnerable areas. For each PWS system, source water protection area (SWPA) is delineated and then inventoried for PSOCs. The PSOC inventory is conducted using SWAP SOPs and inventory forms to ensure good QA/QC. Each item of PSOC inventory data is reviewed and analyzed to determine whether or not it is a potential threat to the drinking water supply. If so, the data is entered into the TNRCC SWAP database. The information is compiled, along with supporting documentation and recommendations, and submitted to each respective PWS system.</p> <p><b>Method of Calculation:</b> A percentage is obtained by dividing the population of PWS systems relying upon vulnerable drinking water sources and participating in a SWP program by the total population relying upon vulnerable drinking water sources, multiplied by 100.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>New Measure:</b> No.</p> <p><b>Desired Performance:</b> Higher than projected.</p>	
<b>Outcome 01-02.03</b>	<b>Percent of Texas population served by public water systems protected by a program which prevents connection between potable and non-potable water sources</b>
<p><b>Short Definition:</b> Percent of Texas population served by public water systems protected by a program which prevents connection between potable and non-potable water sources.</p> <p><b>Purpose/Importance:</b> To indicate what percentage of the population is served by public water systems, which have viable cross-connection control programs. Having a viable cross-connection control program protects the public water system from contamination caused by siphonage or backflow of pollutants into the system as a result of low or inadequate pressure.</p> <p><b>Source/Collection of Data:</b> Data collected from cross-connection control program surveys that were mailed to all public water systems in the State of Texas, sanitary surveys completed by Texas Natural Resource Conservation Commission regional staff, and on-site visits by central office staff to survey public water systems that did not respond to the mailed surveys.</p> <p><b>Method of Calculation:</b> Using public water supply databases, the total of the Texas residential population served by community water systems which have implemented a program which prevents connection between potable and non-potable water sources will be divided by the total residential population served by community public water systems, all of which are required by agency rule to have such a program to prevent connection between potable and non-potable water. This measure will track the compliance rates of such systems with this recently developed rule.</p> <p><b>Data Limitations:</b> Data limited by the information provided by the public water systems in the returned cross-connection surveys. Data is also limited by the accuracy of the reported population of the State of Texas.</p> <p><b>Calculation Type:</b> Non-cumulative.</p> <p><b>New Measure:</b> No.</p> <p><b>Desired Performance:</b> Above projections.</p>	
<b>Output 01-02-01.01</b>	<b>Number of public drinking water systems which meet drinking water standards</b>
<p><b>Short Definition:</b> Number of public drinking water systems which meet drinking water standards</p> <p><b>Purpose/Importance:</b> Measures the success of our performance outputs and all regulatory activities conducted by TNRCC to protect the public health of Texans receiving water from a public drinking water system. This measure will report the total number of all community public water systems which have not had Maximum Contaminant Level (MCL) violations.</p> <p><b>Source/Collection of Data:</b> Population information is gathered during each sanitary survey of a public water system (PWS) conducted by field staff. Violation data is obtained from the review of chemical and microbiological data which is either submitted to TNRCC from certified laboratories after samples are collected by PWS personnel or contract sample collectors. Original</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

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<p>inspection reports as well as Chemical and Microbiological data are kept in the Central Records facility located in Building F, first floor. Population data is kept in a data base table called G:\inven\Sysmstr while violation data is kept in a table called G:\inven\violations.</p> <p><b>Method of Calculation:</b> Using the Public water supply inventory and the violation data bases, the measures will report the number of PWSs which have not had Maximum Contaminant Level (MCL) violations as described by the Drinking Water Standards.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Cumulative.</p> <p><b>New Measure:</b> No.</p> <p><b>Desired Performance:</b> Above projections.</p>	
<b>Output</b> 01-02-01.02	<b>Number of drinking water samples collected</b>
<p><b>Short Definition:</b> Number of drinking water samples collected.</p> <p><b>Purpose/Importance:</b> Chemical samples are collected from Public Water systems (PWS) to assure safe drinking water and protect public health. Samples must be collected in order to be analyzed.</p> <p><b>Source/Collection of Data:</b> Chemical samples are collected by PWS personnel or contract sample collectors and the numbers are reported to the Public Drinking Water Section Monitoring Team on a monthly basis. Original Chemical data are kept in the Central Records facility located in Building F, first floor. It is also maintained electronically. Chemical data is kept in data base tables called G:\inven\map_70 ,G:\inven\organic and G:\inven\orgpos. Field investigators enter investigation information into the monthly Workplan Commitment Report or its successor database. Each reporting period Field Operations retrieves from the report or its successor database the number of samples collected.</p> <p><b>Method of Calculation:</b> Chemical samples collected from PWSs are reported from two sources. The number os samples collected by the PDW contract sample collectors is obtained from the Public Drinking Water Section Monthly Activity Report while samples collected by TNRCC are reported as totals obtained from the Field Operations Division Monthly Activity Report. The numbers are totaled on a monthly basis. The number of samples collected by the PDW Contractor will be obtained from the Public Drinking Water Section Monthly Activity Report while samples collected by TNRCC Field Operations Division will be reported as totals obtained from the Workplan Commitment Report or its successor database.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No.</p> <p><b>Desired Performance:</b> Above projections.</p>	
<b>Output</b> 01-02-02.01	<b>Number of utility rate reviews performed</b>
<p><b>Short Definition:</b> Number of utility rate reviews performed</p> <p><b>Purpose/Importance:</b> This measure reflects the number of requests from utilities to increase rates which are reviewed and the number of staff initiated audits of utility rate structures.</p> <p><b>Source/Collection of Data:</b> Using the agency's utility application data base, this measure will report on the number of all utility rate audits, appeals, and applications reviewed which receive either administrative approval by agency staff or are referred to the commission for action.</p> <p><b>Method of Calculation:</b> Query of the agency's utility application data base, summation of rate reviews performed.</p> <p><b>Data Limitations:</b> The number of rate reviews performed is tied with economic conditions in the state. During periods of high economic development, there are fewer requests by utilities to increase rates.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Near or under projections.</p>	
<b>Output</b> 01-02-02.02	<b>Number of district applications processed</b>
<p><b>Short Definition:</b> Number of district applications processed</p> <p><b>Purpose/Importance:</b> This measure reflects agency workload in reviewing utility district applications.</p> <p><b>Source/Collection of Data:</b> Using the agency's district application tracking system, this measure will report on the number of all utility district applications reviewed which receive either administrative approval by agency staff or are referred to the commission for action.</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

<p><b>Method of Calculation:</b> Query and sum agency's district application tracking system on a quarterly basis.  <b>Data Limitations:</b> The number of applications received is directly related to economic development activity in the state.  <b>Calculation Type:</b> Cumulative  <b>New Measure:</b> No  <b>Desired Performance:</b> Near or above projections.</p>	
<b>Output</b> 01-02-02.03	<b>Number of certificates of convenience and necessity applications processed</b>
<p><b>Short Definition:</b> Number of certificates of convenience and necessity applications processed.  <b>Purpose/Importance:</b> This measure reflects the number of applications by utilities to modify or extend their systems for which a certificate of convenience and necessity is required.  <b>Source/Collection of Data:</b> Using the agency's utility application data base, the total number of Certificate of Convenience and Necessity applications reviewed which receive either administrative approval by agency staff or are referred to the commission for action. A Certificate of Convenience and Necessity delineates a utility's service area.  <b>Method of Calculation:</b> Using the agency's utility application data base, the number of applications reviewed will be summed on a quarterly basis.  <b>Data Limitations:</b> This activity is related to strong economic development in the state.  <b>Calculation Type:</b> Cumulative  <b>New Measure:</b> No  <b>Desired Performance:</b> Near or above projections.</p>	
<b>Efficiency</b> 01-02-02.01	<b>Average time (days) to review district applications</b>
<p><b>Short Definition:</b> Average time (days) to review district applications  <b>Purpose/Importance:</b> This measure reflects the efficiency of the agency in reviewing district applications in days.  <b>Source/Collection of Data:</b> The agency's district application tracking system.  <b>Method of Calculation:</b> Using the agency's district application tracking system, this measure will be reported by calculating the total number of days from the date all administratively correct applications are received to the date of administrative approval by agency staff or to the date the application is referred to the commission for action, divided by the total number of all applications received.  <b>Data Limitations:</b> None identified.  <b>Calculation Type:</b> Non-cumulative  <b>New Measure:</b> No.  <b>Desired Performance:</b> Near or below projections.</p>	
<b>Outcome</b> 02-01.01	<b>Percent of inspected or investigated air sites in compliance</b>
<p><b>Short Definition:</b> Percent of inspected or investigated air sites in compliance  <b>Purpose/Importance:</b> The measure reflects inspection/investigation activity as regulated entities are inspected/investigated to assure compliance with rules, regulations, and statutes designed to protect human health and the environment. Measuring compliance rates of sites following inspections/investigations allows the agency to determine if regulatory assistance, inspection/investigation, and enforcement programs are effective. Lower compliance rates may indicate a need for increased assistance to the regulated community to ensure that they understand their responsibilities.  <b>Source/Collection of Data:</b> This information is tracked using the databases in the Enforcement and Field Operations Divisions. An enforcement action is defined as issuance of an order, compliance agreement, or referral to an appropriate agency or division (EPA, OAG, or Remediation or Field Operations Divisions for Superfund, voluntary cleanup, or emergency removal action).  <b>Method of Calculation:</b> The percent of inspected or investigated air sites in compliance is derived by calculating the total number of sites inspected/investigated for compliance with air rules/ regulations/ statutes minus the total number of air cases screened and approved for enforcement action, dividing this difference by the total number of sites inspected/investigated for compliance with air rules/ regulations/ statutes, multiplied by 100.  <b>Data Limitations:</b> The agency can encourage compliance through regulatory assistance and ensuring that a strong and fair enforcement program exists, however, the TNRCC cannot control the will or financial status of the regulated community regarding their ability to comply.</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

<b>Calculation Type:</b> Non-cumulative <b>New Measure:</b> No <b>Desired Performance:</b> Above projections.	
<b>Outcome</b> 02-01.02	<b>Percent of inspected or investigated water sites and facilities in compliance</b>
<p><b>Short Definition:</b> Percent of inspected or investigated water sites and facilities in compliance</p> <p><b>Purpose/Importance:</b> This measure reflects inspection/investigation activity as regulated entities are investigated to assure compliance with rules, regulations, and statutes designed to protect human health and the environment. Measuring compliance rates following inspections/investigations allows the agency to determine if regulatory assistance, inspection/investigation, and enforcement programs are effective. Lower compliance rates may indicate a need for increased assistance to the regulated community to ensure that they understand their responsibilities.</p> <p><b>Source/Collection of Data:</b> The enforcement and inspection/ investigation information is tracked using databases in the Enforcement and Field Operations Divisions and the number of wastewater and water supply facilities is tracked using the Water Utilities Database, TRACS, and the Federal Permit Compliance System. The total number of cases screened and approved for enforcement action does not include occupational certification program activities. An enforcement action is defined as issuance of an order, compliance agreement, or referral to an appropriate agency or division (EPA, OAG, or Remediation or Field Operations Divisions for Superfund, voluntary cleanup, or emergency removal action).</p> <p><b>Method of Calculation:</b> The percent of inspected or investigated water sites and facilities in compliance is derived by taking the total number of facilities inspected/investigated for compliance with water rules/ regulations/ statutes, including water rights sites, wastewater treatment facilities, public water supply systems, sludge/septage transporters, beneficial use sites, and livestock and poultry operations; plus the number of wastewater and water supply facilities required to self report and/or conduct chemical analyses; minus the total number of water cases (for the categories described above) screened and approved for enforcement action; and dividing this difference by the total number of facilities inspected/investigated or evaluated for compliance with water rules/regulations/statutes, including self reporting requirements (as described above); multiplied by 100.</p> <p><b>Data Limitations:</b> The agency can encourage compliance through regulatory assistance and ensuring that a strong and fair enforcement program exists, however, the TNRCC cannot control the will or financial status of the regulated community regarding their ability to comply.</p> <p><b>Calculation Type:</b> Non-cumulative  <b>New Measure:</b> No  <b>Desired Performance:</b> Above projections.</p>	
<b>Outcome</b> 02-01.03	<b>Percent of inspected or investigated waste sites in compliance</b>
<p><b>Short Definition:</b> Percent of inspected or investigated waste sites in compliance.</p> <p><b>Purpose/Importance:</b> The measure reflects inspection/investigation activity as regulated entities are inspected/investigated to assure compliance with rules, regulations, and statutes designed to protect human health and the environment. Measuring compliance rates following inspections/investigations allows the agency to determine if regulatory assistance, inspection/investigation, and enforcement programs are effective. Lower compliance rates may indicate a need for increased assistance to the regulated community to ensure that they understand their responsibilities.</p> <p><b>Source/Collection of Data:</b> This information is tracked using databases in the Enforcement and Field Operations Divisions and the inspections database used by the UIC and Radioactive Waste Section. An enforcement action is defined as issuance of an order, compliance agreement, or referral to an appropriate agency or division (EPA, OAG, or Remediation or Field Operations Divisions for Superfund, voluntary cleanup, or emergency removal action).</p> <p><b>Method of Calculation:</b> The percent of inspected or investigated waste sites in compliance is derived by calculating the total number of facilities inspected/investigated for compliance with waste rules/ regulations/ statutes minus the total number of cases screened and approved for enforcement action, dividing this difference by the total number of facilities inspected/investigated for compliance with waste rules/regulations/statutes, multiplied by 100. Waste sites include industrial and hazardous waste, municipal solid waste, petroleum storage tank, underground injection control, and radioactive waste sites.</p> <p><b>Data Limitations:</b> The agency can encourage compliance through regulatory assistance and ensuring that a strong and fair enforcement program exists, however, the TNRCC cannot control the will or financial status of the regulated community regarding their ability to comply.</p> <p><b>Calculation Type:</b> Non-cumulative  <b>New Measure:</b> No  <b>Desired Performance:</b> Above projections.</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)

<b>Outcome</b> 02-01.04	<b>Percent of investigated occupational licensees in compliance</b>
<p><b>Short Definition:</b> Percent of inspected or investigated licensees in compliance</p> <p><b>Purpose/Importance:</b> The measure reflects inspection/investigation activity as occupational certification licensees are inspected/investigated to assure compliance with rules, regulations, and statutes designed to protect human health and the environment. Measuring compliance rates following investigations allows the agency to determine if regulatory assistance, investigation, and enforcement programs are effective. Lower compliance rates may indicate a need for increased assistance to the regulated community to ensure that they understand their responsibilities.</p> <p><b>Source/Collection of Data:</b> This information is tracked using databases in the Enforcement and Compliance Support Divisions. An enforcement action is defined as issuance of an order, compliance agreement, or referral to the OAG.</p> <p><b>Method of Calculation:</b> The percent of inspected licensees in compliance is derived by calculating the total number of licensees inspected/investigated by the Compliance Support Division minus the total number of occupational certification cases screened and approved for enforcement action, dividing this difference by the total number of licensees inspected/ investigated (as defined above), multiplied by 100.</p> <p><b>Data Limitations:</b> The agency can encourage compliance through regulatory assistance and ensuring that a strong and fair enforcement program exists, however, the TNRCC cannot control the will or financial status of licensees regarding their ability to comply.</p> <p><b>Calculation Type:</b> Non-cumulative</p> <p><b>New Measure:</b> Yes</p> <p><b>Desired Performance:</b> Above projections.</p>	
<b>Outcome</b> 02-01.05	<b>Percent of identified noncompliant sites and facilities for which appropriate action is taken</b>
<p><b>Short Definition:</b> Percent of identified noncompliant sites and facilities for which appropriate action is taken.</p> <p><b>Purpose/Importance:</b> This measure compares enforcement actions which the agency takes during a fiscal year and determines whether they have been taken within appropriate time frames. Timeliness of enforcement processes is important to ensure that the regulated entity returns to compliance as soon as possible.</p> <p><b>Source/Collection of Data:</b> Using Enforcement Database, the Enforcement Division will determine the total number of formal enforcement actions taken during the reporting period and will evaluate whether or not the actions were completed timely. Formal actions include issuance of an order, compliance agreement, or referral to an appropriate agency or division (EPA, OAG, or Remediation or Field Operations Divisions for Superfund, voluntary cleanup, or emergency removal action), as determined according to agency guidelines. Each of these actions taken will be evaluated to determine whether or not the action was completed within internal agency time frames in order to determine whether appropriate action was taken, using the date of screening as the start date and the date of the order, compliance agreement, or referral as the end date.</p> <p><b>Method of Calculation:</b> The percentage will be calculated by taking the total number of cases with actions taken within appropriate time frames against noncompliant facilities divided by the total number of cases with formal action taken, multiplied by 100 to derive a percentage.</p> <p><b>Data Limitations:</b> Time frames for completion of enforcement actions involve processes which cannot be solely controlled by the TNRCC. The respondents in these cases can create delays in processing the orders and compliance agreements if they request hearings or if the technical requirements are complex, requiring extensive negotiation.</p> <p><b>Calculation Type:</b> Non-cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Above projections.</p>	
<b>Output</b> 02-01-01.01	<b>Number of inspections and investigations of air sites</b>
<p><b>Short Definition:</b> Number of inspections and investigations performed at regulated air sites</p> <p><b>Purpose/Importance:</b> Regulated entities are investigated to assure compliance with rules, regulations, and statutes designed to protect human health and the environment.</p> <p><b>Source/Collection of Data:</b> Using the Air Program Point Source Database, this measure is calculated by adding the total number of inspections/investigations completed for air entities during the reporting period. An investigation is considered complete when the investigation has been conducted, a report has been written, management has approved, and manager's approval date has been reflected in the database. An inspection/investigation is defined as the evaluation of a regulated entity against a standard and includes all (initial and follow up) compliance inspections, file reviews, site assessments and agent evaluations. Site is defined as a geographic location or place where regulatory activities of interest to the agency occur or have occurred. Investigations are</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

<p>conducted to ensure compliance of regulated entities with rules, regulations and statutes designed to protect human health and the environment. Number does not include citizen complaint investigations.</p> <p><b>Method of Calculation:</b> Each reporting period, Field Operations retrieves from the database the number of investigations completed in the field offices as well as those completed by city and or county local programs for certain activities. An investigation is considered complete when the investigation has been conducted, a report has been written, management has approved, and the manager's approval date has been reflected in the database.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Near projections.</p>	
<b>Output</b> 02-01-01.02	<b>Number of inspections and investigations of water rights sites</b>
<p><b>Short Definition:</b> Number of inspections/investigations performed at regulated water rights sites</p> <p><b>Purpose/Importance:</b> The measure reflects agency efforts to divide the water of the streams and regulate the controlling works of reservoirs in accordance with the adjudicated water rights.</p> <p><b>Source/Collection of Data:</b> Using a manual count of records maintained by the Watermaster Program, this measure is the total number of Watermaster diversion site inspection/investigations performed as a result of a request to divert water.</p> <p><b>Method of Calculation:</b> Each reporting period, Field Operations retrieves from the database the number completed by the Water Masters.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Higher than projected.</p>	
<b>Output</b> 02-01-01.03	<b>Number of inspections and investigations of water sites and facilities</b>
<p><b>Short Definition:</b> Number of inspections and investigations performed at regulated water sites and facilities</p> <p><b>Purpose/Importance:</b> Regulated entities are investigated to assure compliance with rules, regulations, and statutes designed to protect human health and the environment.</p> <p><b>Source/Collection of Data:</b> Using water program databases and/or activity reports, this measure is calculated by adding the total number of inspections/investigations completed for water entities during the reporting period. An inspection/investigation is considered complete when the investigation has been conducted, a report has been written, management has approved, and manager's approval date has been reflected in the database. Inspection/Investigation is defined as the evaluation of a regulated entity against a standards and includes all (initial and follow up) compliance inspections, file reviews, site assessments and agent evaluations. Water entities include, but are not limited to, domestic and industrial wastewater treatment plants, public water supply systems, sludge/septage transporters, beneficial use sites, compliance review audits of on-site sewage facility (OSSF) authorized agents, and municipal utility districts. Site is defined as a geographic location or place where regulatory activities of interest to the agency occur or have occurred. Inspections/Investigations are conducted to ensure compliance of regulated entities with rules, regulations and statutes designed to protect human health and the environment. Number does not include citizen complaint investigations or investigations of livestock and poultry operations.</p> <p><b>Method of Calculation:</b> Each reporting period, Field Operations retrieves from the database the number of investigations completed in the field offices as well as those completed by city and or county local programs for certain activities. An investigation is considered complete when the investigation has been conducted, a report has been written, management has approved, and the manager's approval date has been reflected in the database.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Higher than projected.</p>	
<b>Output</b> 02-01-01.04	<b>Number of inspections and investigations of livestock and poultry operation sites</b>
<p><b>Short Definition:</b> Number of inspections and investigations at livestock and poultry operation sites</p> <p><b>Purpose/Importance:</b> Regulated entities are investigated to assure compliance with rules, regulations, and statutes designed to protect human health and the environment.</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

**Source/Collection of Data:** Using a water program database, this measure is calculated by adding the total number of inspections/investigations completed at livestock and poultry operations the reporting period. An inspection/investigation is considered complete when the investigation has been conducted, a report has been written, management has approved, and manager's approval date has been reflected in the database. Investigation is defined as the evaluation of a regulated entity against a standard and includes all (initial and follow up) compliance inspections, file reviews, site assessments and agent evaluations. Site is defined as a geographic location or place where regulatory activities of interest to the agency occur or have occurred. Investigations are conducted to ensure compliance of regulated entities with rules, regulations and statutes designed to protect human health and the environment. This definition formerly included investigations in the dairy outreach areas only. It now includes livestock and poultry investigations statewide. Number does not include citizen complaint investigations.

**Method of Calculation:** Each reporting period, Field Operations retrieves from the database the number of investigations completed in the field offices as well as those completed by city and or county local programs for certain activities. An investigation is considered complete when the investigation has been conducted, a report has been written, management has approved, and the manager's approval date has been reflected in the database.

**Data Limitations:** None identified.

**Calculation Type:** Cumulative

**New Measure:** No

**Desired Performance:** Above projections

<b>Output</b> 02-01-01.05	<b>Number of inspections and investigations of waste sites</b>
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**Short Definition:** Number of inspections and investigations performed at waste sites

**Purpose/Importance:** Regulated entities are investigated to assure compliance with rules, regulations, and statutes designed to protect human health and the environment.

**Source/Collection of Data:** Using the Field Operations Division FoxPro and Paradox municipal solid waste program databases, this measure is calculated by adding the total number of inspections/investigations completed of regulated municipal solid waste (MSW), industrial and hazardous waste (IHW), petroleum storage tank (PST) and state II vapor recovery entities during the reporting period. An inspection/investigation is considered complete when the investigation has been conducted, a report has been written, management has approved, and manager's approval date has been reflected in the database. Investigation is defined as the evaluation of a regulated entity against a standard and includes all (initial and follow up) compliance inspections, file reviews, site assessments and agency evaluations. MSW includes, but is not limited to investigations of generators, storage sites, transporters and processors of waste tire entities and used oil/used oil filter facilities. IHW includes, but is not limited to, investigations of generators, treatment/storage, land disposal, boilers and industrial furnaces (BIF), underground injection control (UIC), Department of Defense/Department of Energy and border warehouses. Site is defined as a geographic location or place where regulatory activities of interest to the agency occur or have occurred. Investigations are conducted to ensure compliance of regulated entities with rules, regulations, and statutes designed to protect human health and the environment. Number does not include citizen complaints investigations.-

**Method of Calculation:** Each reporting period, Field Operations retrieves from the database the number of investigations completed in the field offices as well as those completed by city and or county local programs for certain activities. An investigation is considered complete when the investigation has been conducted, a report has been written, management has approved, and the manager's approval date has been reflected in the database.

**Data Limitations:** None identified.

**Calculation Type:** Cumulative

**New Measure:** No

**Desired Performance:** Above projections.

<b>Output</b> 02-01-01.06	<b>Number of spill cleanup inspections</b>
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**Short Definition:** Number of spill cleanup inspections

**Purpose/Importance:** Regulated entities are investigated to assure compliance with rules, regulations, and statutes designed to protect human health and the environment.

**Source/Collection of Data:** Using the Field Operations Division spill database developed to track spill cleanup events and inspections under the jurisdiction of the TNRCC, this measure is calculated by adding the total number of spill incident inspections/investigations completed. An investigation is considered complete when the inspection/investigation has been conducted, a report has been written, management has approved, and manager's approval date has been reflected in the database. Investigation is defined as the evaluation of a regulated entity against a standard. Investigations are conducted to



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

<p>ensure compliance of regulated entities with rules, regulations, and statutes designed to protect human health and the environment.</p> <p><b>Method of Calculation:</b> Each reporting period, Field Operations retrieves from the database the number of investigations completed in the field offices as well as those completed by city and or county local programs for certain activities. An investigation is considered complete when the investigation has been conducted, a report has been written, management has approved, and the manager's approval date has been reflected in the database.</p> <p><b>Data Limitations:</b> TNRCC has no control over the number of spills that occur.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Lower than projected.</p>	
<b>Efficiency</b> 02-01-01.01	<b>Average inspection and investigation cost of livestock and poultry operations</b>
<p><b>Short Definition:</b> The average cost per inspection/investigation of livestock and poultry operations.</p> <p><b>Purpose/Importance:</b> This measure reflects how efficiently the agency conducts investigations of livestock and poultry operations in the state. Regulated entities are investigated to assure compliance with rules, regulations and statutes designed to protect human health and the environment.</p> <p><b>Source/Collection of Data:</b> Using USAS expenditure figures and activity reports maintained by the Field Operations Division, this measure will be reported by calculating the total funds expended during the reporting period for TNRCC monitoring of livestock and poultry operations, divided by the sum of the number of annual compliance inspections/investigations, other compliance inspections and complaint investigations for livestock and poultry operations conducted during the reporting period. Compliance inspections/investigations and complaint investigation numbers for this measure will be derived from the Field Operation Division's monthly activity report.</p> <p><b>Data Calculation:</b> Query of database for number of inspections divided into the amount of funds expended during the reporting period.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Non-cumulative.</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Below Projections.</p>	
<b>Efficiency</b> 02-01-01.02	<b>Average time to complete an inspection/investigation of air sites</b>
<p><b>Short Definition:</b> Average time to complete an inspection/investigation of air sites</p> <p><b>Purpose/Importance:</b> The measure reflects how efficiently the agency completes investigations of air sites.</p> <p><b>Source/Collection of Data:</b> An inspection/investigation is considered complete when investigation is conducted, report is written, approved by management and manager's approval date has been reflected in the database. Inspection/Investigation is defined as the evaluation of a regulated entity against a standard. Using air program databases and calculations, this measure is derived by calculating the total number of calendar days between date of inspection and date of completion divided by the total number of completed air investigations reported under Output 02-01-01.01 for air entities during the reporting period.</p> <p><b>Method of Calculation:</b> this measure is derived by calculating the total number of calendar days between date of inspection and date of completion divided by the total number of completed air investigations reported under Output 02-01-01.01 for air entities during the reporting period.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Non-cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Below projections.</p>	
<b>Efficiency</b> 02-01-01.03	<b>Average time to complete an inspection/investigation of water sites and facilities</b>
<p><b>Short Definition:</b> Average time to complete an inspection/investigation of water sites.</p> <p><b>Purpose/Importance:</b> The measure reflects how efficiently the agency completes investigations of water sites.</p> <p><b>Source/Collection of Data:</b> An inspection/investigation is considered complete when the investigation has been conducted, a report has been written, management has approved, and manager's approval date has been reflected in the database. Inspection/Investigation is defined as the evaluation of a regulated entity against a standard. Using water program databases and calculations, this measure is derived by calculating the total number of calendar days between date of inspection and date of</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

<p>completion divided by the total number of completed water investigations reported under Output 01-01-01.03 for water entities during the reporting period.</p> <p><b>Method of Calculation:</b> this measure is derived by calculating the total number of calendar days between date of inspection and date of completion divided by the total number of completed water investigations reported under Output 01-01-01.03 for water entities during the reporting period.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Non-cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Below projections.</p>	
<b>Efficiency</b> 02-01-01.04	<b>Average time to complete an inspection/investigation of waste sites</b>
<p><b>Short Definition:</b> Average time to complete an inspection/investigation of waste sites</p> <p><b>Purpose/Importance:</b> The measure reflects how efficiently the agency completes investigations of waste sites.</p> <p><b>Source/Collection of Data:</b> An inspection/investigation is considered complete when the investigation has been conducted, a report has been written, management has approved, and manager's approval date has been reflected in the database. Inspection/Investigation is defined as the evaluation of a regulated entity against a standard. Using the Consolidated Compliance and Enforcement Database System (CCEDS), this measure is derived by calculating the total number of calendar days between date of investigation and date of completion divided by the total number of completed waste investigations reported under Output 02-01-01.05 for waste entities during the reporting period.</p> <p><b>Method of Calculation:</b> this measure is derived by calculating the total number of calendar days between date of investigation and date of completion divided by the total number of completed waste investigations reported under Output 02-01-01.05 for waste entities during the reporting period.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Non-cumulative.</p> <p><b>New Measure:</b> No.</p> <p><b>Desired Performance:</b> Under projections.</p>	
<b>Explanatory</b> 02-01-01.01	<b>Number of air sites in noncompliance</b>
<p><b>Short Definition:</b> Number of air sites in noncompliance</p> <p><b>Purpose/Importance:</b> Reflects the number of enforcement cases required following inspections or investigations.</p> <p><b>Source/Collection of Data:</b> This measure will be derived by calculating the total number of air cases screened and approved for enforcement action during the fiscal year. This information is tracked using the Enforcement Database. An enforcement action is defined as issuance of an order, compliance agreement, or referral to an appropriate agency or division (EPA, OAG, or Remediation or Field Operations Divisions for Superfund, voluntary cleanup, or emergency removal action).</p> <p><b>Method of Calculation:</b> This measure will be derived by calculating the total number of air cases screened and approved for enforcement action.</p> <p><b>Data Limitations:</b> The agency can encourage compliance through regulatory assistance and ensuring that a strong and fair enforcement program exists, however, the TNRCC cannot control the will or financial status of the regulated community regarding their ability to comply.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Below projections.</p>	
<b>Explanatory</b> 02-01-01.02	<b>Number of water sites and facilities in noncompliance</b>
<p><b>Short Definition:</b> Number of water sites and facilities in noncompliance</p> <p><b>Purpose/Importance:</b> Reflects the number of enforcement cases required following inspections or investigations.</p> <p><b>Source/Collection of Data:</b> This measure will be derived by determining the total number of water cases screened and approved for enforcement action. Water cases include livestock and poultry operations, water rights, wastewater treatment facilities, sludge/septage transporters, beneficial use sites, and public water supply cases and does not include occupational certification cases. This information is tracked using the Enforcement Database. An enforcement action is defined as issuance of an order, compliance agreement, or referral to an appropriate agency or division (EPA, OAG, or Remediation or Field Operations Divisions for Superfund, voluntary cleanup, or emergency removal action).</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

<p><b>Method of Calculation:</b> This measure will be derived by determining the total number of water cases screened and approved for enforcement action.</p> <p><b>Data Limitations:</b> The agency can encourage compliance through regulatory assistance and ensuring that a strong and fair enforcement program exists, however, the TNRCC cannot control the will or financial status of the regulated community regarding their ability to comply.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Below projections.</p>	
<b>Explanatory 02-01-01.03</b>	<b>Number of waste sites in noncompliance</b>
<p><b>Short Definition:</b> Number of waste sites in noncompliance</p> <p><b>Purpose/Importance:</b> Reflects the number of enforcement cases required following inspections or investigations.</p> <p><b>Source/Collection of Data:</b> This measure will be derived by calculating the total number of waste cases screened and approved for enforcement action. Waste cases includes industrial and hazardous waste, municipal solid waste, petroleum storage tank, underground injection control, and radioactive waste cases. This information is tracked using the Enforcement Database. An enforcement action is defined as issuance of an order, compliance agreement, or referral to an appropriate agency or division (EPA, OAG, or Remediation or Field Operations Divisions for Superfund, voluntary cleanup, or emergency removal action).</p> <p><b>Method of Calculation:</b> This measure will be derived by determining the total number of waste cases screened and approved for enforcement action.</p> <p><b>Data Limitations:</b> The agency can encourage compliance through regulatory assistance and ensuring that a strong and fair enforcement program exists, however, the TNRCC cannot control the will or financial status of the regulated community regarding their ability to comply.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Below projections.</p>	
<b>Explanatory 02-01-01.04</b>	<b>Number of occupational licensees in noncompliance</b>
<p><b>Short Definition:</b> Number of occupational licensees in noncompliance</p> <p><b>Purpose/Importance:</b> This measure reflects agency investigation and enforcement efforts for licensees.</p> <p><b>Source/Collection of Data:</b> This measure will be derived by calculating the total number of cases screened and approved for enforcement action for occupational certification cases. This information will be tracked using the Enforcement Database. An enforcement action is defined as issuance of an order, compliance agreement, or referral to the OAG.</p> <p><b>Method of Calculation:</b> This measure will be derived by calculating the total number of cases screened and approved for enforcement action for occupational certification cases.</p> <p><b>Data Limitations:</b> The agency can encourage compliance through regulatory assistance and ensuring that a strong and fair enforcement program exists, however, the TNRCC cannot control the will or financial status of the licensees regarding their ability to comply.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> Yes</p> <p><b>Desired Performance:</b> Below projections</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

<b>Explanatory 02-01-01.05</b>	<b>Number of citizen complaints investigated</b>
<p><b>Short Definition:</b> Number of citizen complaints investigated</p> <p><b>Purpose/Importance:</b> Regulated entities are investigated to assure compliance with rules, regulations, and statutes designed to protect human health and the environment.</p> <p><b>Source/Collection of Data:</b> Using a Field Operations database, this measure is calculated by adding the total number of citizen complaints investigated.</p> <p><b>Method of Calculation:</b> Each reporting period, Field Operations retrieves from the database the number of investigations completed in the field offices as well as those completed by city and or county local programs for certain activities. An investigation is considered complete when the investigation has been conducted, a report has been written, management has approved, and the manager's approval date has been reflected in the database.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Near projections.</p>	
<b>Output 02-01-02.01</b>	<b>Number of small businesses assisted by the Small Business Assistance Program (SBAP)</b>
<p><b>Short Definition:</b> The number of small businesses assisted includes the following types of direct assistance: answers to hotline inquiries regarding permit and regulatory applicability; site assistance visits; notification of rule changes; outreach activities; industry specific workshops; dispute resolution assistance to small businesses to resolve complaints against the agency.</p> <p><b>Purpose/Importance:</b> This measure provides an indication of the responsiveness of Small Business and Local Government Assistance (SBLGA) staff to small business inquiries. This measure also indicates pro-active activities provided by SBLGA staff to assist small businesses.</p> <p><b>Source/Collection of Data:</b> The data is collected using an electronic tracking and reporting system maintained by SBLGA staff.</p> <p><b>Method of Calculation:</b> A total number is obtained by adding the types of assistance provided to small businesses as indicated in the above definition.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Higher than target</p>	
<b>Output 02-01-02.02</b>	<b>Number of local government assistance requests responded to by the Local Government Assistance Program</b>
<p><b>Short Definition:</b> The number of local governments assisted includes the following types of direct assistance: answers to hotline inquiries regarding permit and regulatory applicability; notification of rule changes; outreach activities; government sponsored conferences.</p> <p><b>Purpose/Importance:</b> This measure provides an indication of the responsiveness of Small Business and Local Government Assistance (SBLGA) staff to local governments. This measure also indicates pro-active activities provided by SBLGA staff to assist local governments.</p> <p><b>Source/Collection of Data:</b> The data is collected using an electronic tracking and reporting system maintained by SBLGA staff.</p> <p><b>Method of Calculation:</b> A total number is obtained by adding the number of assistance provided to local governments.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Higher than target</p>	
<b>Output 02-01-02.03</b>	<b>Number of air program administrative enforcement orders issued</b>
<p><b>Short Definition:</b> Number of air program administrative enforcement orders issued</p> <p><b>Purpose/Importance:</b> Reflects agency enforcement efforts.</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

<p><b>Source/Collection of Data:</b> Using the Enforcement Database, this measure will be derived by calculating the number of air program administrative orders issued. Multi-media orders will be evaluated to determine which media is the primary media and then will be added to the number for the appropriate measure.</p> <p><b>Method of Calculation:</b> This measure will be derived by calculating the number of air program administrative orders issued, including multi-media order with an air emphasis.</p> <p><b>Data Limitations:</b> Finalization of enforcement orders cannot be solely controlled by the TNRCC. Due process of law allows all respondents for enforcement orders the opportunity for hearing. The timing for the hearing is then the decision of the administrative law judge at the State Office of Administrative Hearings. In addition, delays can occur when the technical requirements necessary to achieve compliance are complex, requiring extensive negotiations.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Below projections</p>	
<b>Output</b> 02-01-02.04	<b>Number of water program administrative enforcement orders issued</b>
<p><b>Short Definition:</b> Number of water program administrative enforcement orders issued</p> <p><b>Purpose/Importance:</b> Reflects agency enforcement efforts.</p> <p><b>Source/Collection of Data:</b> Using the Enforcement Database, this measure will be derived by calculating the number of water program administrative orders issued. The water program for this measure includes water rights, wastewater treatment facilities, sludge/septage transporters, beneficial use sites, livestock and poultry operations, public water supply, and occupational certification orders. Occupational certification orders are counted in this category since they primarily cover water related activities. Multi-media orders will be evaluated to determine which media is the primary media and then will be added to the number for the appropriate measure.</p> <p><b>Method of Calculation:</b> This measure will be derived by calculating the number of water program administrative orders issued, including multi-media order with a water emphasis.</p> <p><b>Data Limitations:</b> Finalization of enforcement orders cannot be solely controlled by the TNRCC. Due process of law allows all respondents for enforcement orders the opportunity for hearing. The timing for the hearing is then the decision of the administrative law judge at the State Office of Administrative Hearings. In addition, delays can occur when the technical requirements necessary to achieve compliance are complex, requiring extensive negotiations.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Below Projections</p>	
<b>Output</b> 02-01-02.05	<b>Number of waste program administrative enforcement orders issued</b>
<p><b>Short Definition:</b> Number of waste program administrative enforcement orders issued.</p> <p><b>Purpose/Importance:</b> Reflects agency enforcement efforts.</p> <p><b>Source/Collection of Data:</b> Using the Enforcement Database, this measure will be derived by calculating the number of waste program administrative orders issued. The waste program for this measure includes industrial and hazardous waste, municipal solid waste, petroleum storage tanks, radioactive waste, and underground injection control. Multi-media orders will be evaluated to determine which media is the primary media and then will be added to the number for the appropriate measure.</p> <p><b>Method of Calculation:</b> This measure will be derived by calculating the number of waste program administrative orders issued, including multi-media order with a waste emphasis.</p> <p><b>Data Limitations:</b> Finalization of enforcement orders cannot be solely controlled by the TNRCC. Due process of law allows all respondents for enforcement orders the opportunity for hearing. The timing for the hearing is then the decision of the administrative law judge at the State Office of Administrative Hearings. In addition, delays can occur when the technical requirements necessary to achieve compliance are complex, requiring extensive negotiations.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Below projections.</p>	
<b>Efficiency</b> 02-01-02.01	<b>Average number of days to respond to small business requests for assistance</b>
<p><b>Short Definition:</b> Average number of days to respond to small business requests for assistance</p> <p><b>Purpose/Importance:</b> This measure reflects agency efforts to respond to small businesses quickly and efficiently.</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

<p><b>Source/Collection of Data:</b> Using electronic tracking and reporting system maintained by the Small Business Assistance Program, this measure is derived by dividing the sum of the total amount of time taken to respond to assistance requests (tracked in a data base) by the total number of assistance requests. Non-cumulative.</p> <p><b>Method of Calculation:</b> This measure is derived by dividing the sum of the total amount of time taken to respond to assistance requests (tracked in a data base) by the total number of assistance requests</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Non-cumulative.</p> <p><b>New Measure:</b> No.</p> <p><b>Desired Performance:</b> Below projections.</p>	
<b>Efficiency 02-01-02.02</b>	<b>Average number of days to file notices of formal violations</b>
<p><b>Short Definition:</b> Average number of days to file notices of formal violations</p> <p><b>Purpose/Importance:</b> Reflects agency efficiency in filing notices.</p> <p><b>Source/Collection of Data:</b> This information will be derived from the Enforcement Database.</p> <p><b>Method of Calculation:</b> Using computerized searches, the average number of days to file notices of formal violations will be calculated as the sum of the number of days from screening to the mailing date of the initial draft order or the filing date of the initial Executive Director's Preliminary Report and Petition (EDPRP) on a case, divided by the total number of draft orders or EDPRPs. EDPRPs for failed expedited orders will not be counted since the initial draft orders will already have been counted in this category.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Non-cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Below projections.</p>	
<b>Explanatory 02-01-02.01</b>	<b>Amount of administrative penalties required to be paid in final administrative orders issued</b>
<p><b>Short Definition:</b> Amount of administrative penalties required to be paid in final administrative orders issued</p> <p><b>Purpose/Importance:</b> Reflects penalties required to be paid to General Revenue. Note: This is not the amount which is paid to TNRCC, this is the amount that the Orders require to be paid, some may have payment schedules and some may be default orders.</p> <p><b>Source/Collection of Data:</b> Using the Enforcement Database, this measure will be reported at the end of the fiscal year by calculating the total penalty amounts required to be paid to General Revenue in final administrative orders issued.</p> <p><b>Method of Calculation:</b> This measure will be derived by calculating the total penalty amounts required to be paid to General Revenue in final administrative orders issued.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> N/A</p>	
<b>Explanatory 02-01-02.02</b>	<b>Amount required to be paid for supplemental environmental projects issued in administrative orders</b>
<p><b>Short Definition:</b> Amount required to be paid for supplemental environmental projects issued in administrative orders.</p> <p><b>Purpose/Importance:</b> Reflects money required to be paid or projects required to be conducted in addition to penalty amounts paid in enforcement orders. The supplemental environmental projects are normally designed to benefit the communities or the environment where the violations occurred.</p> <p><b>Source/Collection of Data:</b> Using the Enforcement Database, this measure will be reported at the end of the fiscal year for the total dollar amount specified in the Administrative Orders which must be spent on supplemental environmental projects approved by the agency.</p> <p><b>Method of Calculation:</b> This measure will be reported at the end of the fiscal year for the total dollar amount specified in the Administrative Orders which must be spent on supplemental environmental projects approved by the agency.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> N/A</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

<b>Explanatory</b> 02-01-02.03	<b>Percent of administrative penalties collected</b>
<p><b>Short Definition:</b> Percent of administrative penalties collected.</p> <p><b>Purpose/Importance:</b> Reflects how much penalties are collected.</p> <p><b>Source/Collection of Data:</b> This measure will be calculated using databases maintained by the Financial Administration Division and the Enforcement Division.</p> <p><b>Method of Calculation:</b> Using databases maintained by the Financial Administration Division and the Enforcement Division, this measure will be reported by calculating the total amount of administrative penalties required to be paid to General Revenue in Administrative Orders issued during the fiscal year and the total amount of payments received by the agency during the fiscal year. The amount will be divided by the total amount of administrative penalties required to be paid, then multiplied by 100.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Non-cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> N/A</p>	
<b>Output</b> 02-01-03.01	<b>Number of applications for certification</b>
<p><b>Short Definition:</b> The number of individual applications for environmental professional certification that are received by the agency and processed to formal action during the reporting period to include: notification of certification or notification of certification denial/disapproval for non-compliance with certifications or requirements, including examination failure.</p> <p><b>Purpose/Importance:</b> This measure indicates the number of new and renewal applications received. It is a primary measure of workload and it indicates the number of potential licensed professionals or companies.</p> <p><b>Source/Collection of Data:</b> The Compliance Support Division staff scan or enter data into the Occupational Licensing databases from the applications that are received.</p> <p><b>Method of Calculation:</b> The number of individual applications for environmental professional certification are received by the agency and processed to formal action, which includes certification or denial. This information is tracked using databases maintained by the Compliance Support Division.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Cumulative.</p> <p><b>New Measure:</b> No.</p> <p><b>Desired Performance:</b> Higher than target.</p>	
<b>Output</b> 02-01-03.02	<b>Number of examinations administered</b>
<p><b>Short Definition:</b> The number of individual examinations administered by the agency during the reporting period.</p> <p><b>Purpose/Importance:</b> This measure indicates the number of exams administered to applicants who are potential licensees.</p> <p><b>Source/Collection of Data:</b> The Compliance Support Division staff scan or enter exam information into the Occupational Licensing databases after examinations are administered by the commissions designated agents, the Compliance Support Division, and Field Operations Division staff.</p> <p><b>Method of Calculation:</b> The number of individual examinations administered by the agency is tracked using Occupational Licensing databases maintained by the Compliance Support Division.</p> <p><b>Data Limitations:</b> Receiving the examinations at the central office for processing is dependent on the designated agents submitting it timely.</p> <p><b>Calculation Type:</b> Cumulative.</p> <p><b>New Measure:</b> No.</p> <p><b>Desired Performance:</b> Higher than target.</p>	
<b>Output</b> 02-01-03.03	<b>Number of new licenses issued</b>
<p><b>Short Definition:</b> The number of new and newly upgraded licenses issued during the reporting period.</p> <p><b>Purpose/Importance:</b> This measure indicates the number of licenses that were issued to individuals and companies who have met licensing requirements.</p> <p><b>Source/Collection of Data:</b> The Compliance Support Division staff generate certificates and licenses for qualified applicants and maintain this information in the Occupational Licensing databases.</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

<p><b>Method of Calculation:</b> The number of new and upgraded licenses issued to individuals is tracked using databases maintained by the Compliance Support Division.</p> <p><b>Data Limitations</b> None identified.</p> <p><b>Calculation Type:</b> Cumulative.</p> <p><b>New Measure:</b> No.</p> <p><b>Desired Performance:</b> Higher than target.</p>	
<b>Output</b> 02-01-03.04	<b>Number of licenses renewed</b>
<p><b>Short Definition:</b> The number of licenses re-issued to previously certified environmental professionals and companies during the reporting period.</p> <p><b>Purpose/Importance:</b> This measure indicates the number of licenses that were renewed and will continue as current licensed entities.</p> <p><b>Source/Collection of Data:</b> This information currently exists in the Occupational Licensing databases and is updated accordingly as applications are received.</p> <p><b>Method of Calculation:</b> The number of licenses re-issued to individuals holding unexpired licenses during the reporting period is tracked using databases maintained by the Compliance Support Division.</p> <p><b>Data Limitations:</b> Licensed individuals and companies may have change of addresses that go unreported to the agency. This may result in the loss of the license due to failure to renew.</p> <p><b>Calculation Type:</b> Cumulative.</p> <p><b>New Measure</b> No.</p> <p><b>Desired Performance</b> :Higher than target.</p>	
<b>Efficiency</b> 02-01-03.01	<b>Average annualized cost per license</b>
<p><b>Short Definition:</b> The average annualized cost per license.</p> <p><b>Purpose/Importance:</b> Reflects average annualized cost for licensing program per license issued.</p> <p><b>Source/Collection of Data:</b> USAS expenditure figures maintained by the Office of Compliance and Enforcement</p> <p><b>Method of Calculation:</b> Total licensing related funds expended during the each quarter by Compliance Support Division annualized divided by the total number of licenses in force by the agency during the fiscal year.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Non-cumulative</p> <p><b>New Measure:</b> Yes</p> <p><b>Desired Performance:</b> Below projections.</p>	
<b>Explanatory</b> 02-01-03.01	<b>Number of TNRCC-certified environmental professionals</b>
<p><b>Short Definition:</b> The total number of environmental professional licenses currently registered with the agency.</p> <p><b>Purpose/Importance:</b> This measure presents the order of magnitude of the TNRCC licensing programs. It provides basic information for workload evaluation.</p> <p><b>Source/Collection of Data:</b> The Compliance Support Division maintains this information in the Occupational Licensing databases.</p> <p><b>Method of Calculation:</b> The total number of environmental professional certifications currently registered with the agency is tracked using databases maintained by the Compliance Support Division.</p> <p><b>Data Limitations:</b> The measure provides only a workload indicator because not all licenses require the same amount of work.</p> <p><b>Calculation Type:</b> Non-Cumulative.</p> <p><b>New Measure:</b> No.</p> <p><b>Desired Performance:</b> Higher than target.</p>	
<b>Explanatory</b> 02-01-03.02	<b>Number of jurisdictional complaints received</b>
<p><b>Short Definition:</b> Number of Jurisdictional Complaints Received</p> <p><b>Purpose/Importance:</b> This measure provides workload information as all complaints must be investigated. It also indicates a level of confidence among the general public.</p> <p><b>Source/Collection of Data:</b> The Compliance Support Division staff maintains this data in the Occupational Licensing databases</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

<p><b>Method of Calculation:</b> The number of complaints received which are within the agency's jurisdiction of statutory responsibility. These complaints may be received by telephone, in writing, or in person and are documented by agency staff upon receipt. This information is tracked using databases maintained by the Compliance Support Division.</p> <p><b>Data Limitations:</b> The number of complaints do not provide an indication of compliance by licensed individuals. Many complaints are not valid or are not within the jurisdiction of the agency.</p> <p><b>Calculation Type:</b> Cumulative.</p> <p><b>New Measure:</b> No.</p> <p><b>Desired Performance:</b> Lower than target.</p>	
<p><b>Outcome</b> 03-01.01</p>	<p><b>Percent of leaking petroleum storage tank sites cleaned up</b></p>
<p><b>Short Definition:</b> The percentage of leaking petroleum storage tank sites at which no further corrective action is required, compared to the total population of known leaking petroleum storage tank sites.</p> <p><b>Purpose/Importance:</b> This measure provides an indication of the agency's efforts to clean up leaking petroleum storage tank sites relative to the total population of known leaking petroleum storage tank sites.</p> <p><b>Source/Collection of Data:</b> Using an agency database maintained by the Remediation Division, the number of leaking petroleum storage tank sites issued "no further action" letters is divided by the total number of reported leaking petroleum storage tank sites, multiplied by 100 to derive a percentage.</p> <p><b>Data Limitations:</b> Most "no further action" letters are issued upon a written request from responsible parties and the agency does not control when these requests are submitted. Therefore, the percentage reported may represent fewer sites than which would otherwise actually qualify for "no further action" status.</p> <p><b>Calculation Type:</b> Non-cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Higher than target</p>	
<p><b>Outcome</b> 03-01.02</p>	<p><b>Percent of Superfund sites cleaned up</b></p>
<p><b>Short Definition:</b> The percentage of state and federal Superfund sites cleaned up since program inception.</p> <p><b>Purpose/Importance:</b> This measure reflects long-term agency efforts to clean up Superfund sites.</p> <p><b>Source/Collection of Data:</b> Using an automated agency system maintained by the Remediation Division of the Office of Permitting, Remediation, and Registration, the percentage of state and federal Superfund sites cleaned up since program inception.</p> <p><b>Method of Calculation:</b> The total combined number of state and federal Superfund sites completed divided by the total combined number of state and federal Superfund sites listed or proposed for the State Registry or National Priorities List since program inception. The ratio of this cumulative data will be calculated at the end of each fiscal year/biennium. This number will be multiplied by 100 to derive a percentage.</p> <p><b>Data Limitations:</b> The agency has limited control over the federal Superfund program listings, progression of federal site cleanups and deletions. The progression of sites through the federal superfund program is directly related to federal funding issues, scheduling, and the final approval of submittals, which are reviewed by the U.S. Environmental Protection Agency. Department of Defense (DOD) and Department of Energy (DOE) funding issues that are beyond the TNRCC's control also effect the progress of Superfund sites which are federal facilities. Additionally, the agency cannot accurately predict how many federal sites will be discovered and added to the program during any given year.</p> <p><b>Calculation Type:</b> Cumulative.</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Near projections.</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

<b>Outcome</b> 03-01.03	<b>Percent of voluntary and brownfield cleanup properties made available for commercial/industrial redevelopment, community, or other economic reuse</b>
<p><b>Short Definition:</b> The percentage of voluntary and brownfield properties/sites returned to a productive use within a community.</p> <p><b>Purpose/Importance:</b> This percentage provides a measure of the overall efficiency of the VCP to meet the goals of applicants in receiving certificates of completion. The percentage derived is indicative of the trend of the willingness of site owners/operators and prospective purchasers to voluntarily address their contaminated sites through the VCP and the adequacy of the VCP in meeting the review deadlines necessary for completing property transactions.</p> <p><b>Source/Collection of Data:</b> From information collected in a database, adding the total number of certificates of completion issued throughout the fiscal year and the total number of VCP applications submitted by site owners/operators and prospective purchasers throughout the fiscal year.</p> <p><b>Method of Calculation:</b> The percentage is obtained by dividing the total number of VCP certificates of completion issued during the fiscal year by the total number of VCP applications received during the fiscal year, multiplied by 100.</p> <p><b>Data Limitations:</b> TNRCC has no control over the number of site owners/operators and prospective purchasers who voluntarily enter the VCP since their choice controls the number of sites which enter the VCP and the completion of the tasks necessary for issuance of a certificate of completion.</p> <p><b>Calculation Type:</b> Non-cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Higher than target</p>	
<b>Output</b> 03-01-01.01	<b>Number of petroleum storage tank self certifications processed</b>
<p><b>Short Definition:</b> Number of petroleum storage self-certifications processed.</p> <p><b>Purpose/Importance:</b> The measure reflects agency workload in processing PST self-certifications.</p> <p><b>Source/Collection of Data:</b> Using an automated agency system (TRACS and PDOX files) maintained by Registration, Review, and Reporting Division, this measure will track the number of owner/operator self-certifications processed in Texas each year.</p> <p><b>Method of Calculation:</b> The automated agency systems will be queried for the number of self certifications processed.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> Yes</p> <p><b>Desired Performance:</b> Near projections.</p>	
<b>Output</b> 03-01-02.01	<b>Number of emergency response actions at petroleum storage tank sites</b>
<p><b>Short Definition:</b> The number of leaking petroleum storage tank sites to which a state lead contractor is dispatched to address an immediate threat to human health/safety (i.e., an explosion or fire hazard, vapor impacts to buildings, or surface water impacts).</p> <p><b>Purpose/Importance:</b> This measure provides an indication of the number of leaking petroleum storage tank sites which have an emergency situation requiring action by the agency to protect human health/safety.</p> <p><b>Source/Collection of Data:</b> Using an agency database maintained by the Remediation Division, the number of leaking petroleum storage tank sites to which a state lead contractor is dispatched to address an emergency situation is tracked.</p> <p><b>Method of Calculation:</b> At the end of each quarter the database is used to arrive at a total number of sites to which a state lead contractor was dispatched to address an emergency situation during that quarter. The total for each quarter is added to the total for any previous quarters during that fiscal year to come up with a cumulative total of sites addressed during that fiscal year.</p> <p><b>Data Limitations:</b> Because most leaking petroleum storage tank emergency situations are reported by fire marshals, communities and or the agency's regional offices, the number of sites which will require emergency response actions is unpredictable.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Lower than target would be ideal since that would indicate fewer emergencies to respond to. However, historically this number has been fairly steady.</p>	
<b>Output</b> 03-01-02.02	<b>Number of Petroleum Storage Tank Remediation Fund reimbursement applications processed</b>
<p><b>Short Definition:</b> Number of Petroleum Storage Tank Remediation Fund reimbursement applications processed</p> <p><b>Purpose/Importance:</b> This measure reflects agency workload in processing applications for reimbursements for petroleum storage tank remediation.</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

<p><b>Source/Collection of Data:</b> Using an automated agency system and manual computations conducted by the Registration, Review and Reporting Division, this measure will report the number of Petroleum Storage Tank Remediation Fund reimbursement applications processed. Staff enter new applications into the reimbursement process database. As applications are processed, staff update the database to indicate where the application is in the review process. When the application processing is complete a fund payment report is mailed to the applicant. For the reporting period, the number of fund payment reports mailed are calculated from the database and reported.</p> <p><b>Method of Calculation:</b> Automated agency systems maintained by the Registration, Review, and Reporting Division will be queried to obtain the number of mailed fund payment reports mailed.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Cumulative.</p> <p><b>New Measure:</b> No.</p> <p><b>Desired Performance:</b> Near projections.</p>	
<b>Output</b> 03-01-02.03	<b>Number of petroleum storage tank cleanups completed</b>
<p><b>Short Definition:</b> The number of leaking petroleum storage tank sites at which no further corrective action is required.</p> <p><b>Purpose/Importance:</b> This measure provides an indication of the agency's efforts to clean up leaking petroleum storage tank sites during the reporting period.</p> <p><b>Source/Collection of Data:</b> Using an agency database maintained by the Remediation Division, the number of leaking petroleum storage tank sites issued "no further action" letters during the reporting period is calculated.</p> <p><b>Data Limitations:</b> Most "no further action" letters are issued upon a written request from responsible parties and the agency does not control when these requests are submitted. Therefore, since the number of these letters issued during a reporting period is primarily determined by the number submitted by the responsible parties, the reported number may represent fewer sites than which would otherwise actually qualify for "no further action" status.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Higher than target</p>	
<b>Efficiency</b> 03-01-02.01	<b>Average time (days) to review and respond to remedial action plans</b>
<p><b>Short Definition:</b> This measure provides the average number of days for the agency to review and respond to remedial action plans over the reporting period.</p> <p><b>Purpose/Importance:</b> House Bill 2587, 74<sup>th</sup> Legislature, 1995 mandates that agency review and response time for remedial action plans not exceed 30 days.</p> <p><b>Source/Collection of Data:</b> Using an agency database maintained by the Remediation Division, the number of remedial action plans received is tracked, the number of days to review and respond to each plan is recorded, and the average review/response time is calculated for the reporting period.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Non-cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Less than or equal to target</p>	
<b>Efficiency</b> 03-01-02.02	<b>Average time (days) to review and respond to risk-based site assessments</b>
<p><b>Short Definition:</b> This measure provides the average number of days for the agency to review and respond to risk-based site assessment reports over the reporting period.</p> <p><b>Purpose/Importance:</b> House Bill 2587, 74<sup>th</sup> Legislature, 1995 mandates that agency review and response time for risk-based site assessment reports not exceed 30 days.</p> <p><b>Source/Collection of Data:</b> Using an agency database maintained by the Remediation Division, the number of risk-based site assessment reports received is tracked, the number of days to review and respond to each report is recorded, and the average review/response time is calculated for the reporting period.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Non-cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Less than or equal to target</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

<b>Efficiency</b> 03-01-02.03	<b>Average time (days) to process Petroleum Storage Tank Remediation Fund reimbursement claims</b>
<p><b>Short Definition:</b> The average number of days it takes to process Petroleum Storage Tank Remediation Fund reimbursement claims.</p> <p><b>Purpose/Importance:</b> This measure reflects how efficiently and quickly the agency processes claims for reimbursements from the Petroleum Storage Tank Remediation Fund.</p> <p><b>Source/Collection of Data:</b> Using manual calculations and automated information maintained by the Registration, Review, and Reporting Division, this measure will report the sum of the time from receipt of all applications to the mailing of the Fund Payment Report, divided by the number of Fund Payments Reports mailed. Staff enter new applications including the date received into the reimbursement process database. As applications are processed, staff update the database to indicate where the application is in the review process. When the application processing is complete a fund payment report is mailed to the applicant.</p> <p><b>Method of Calculation:</b> Using manual calculations and automated information maintained by the Registration, Review, and Reporting Division, this measure will report the sum of the time from receipt of all applications to the mailing of the Fund Payment Report, divided by the number of Fund Payments Reports mailed. The number of days to complete the processing of an application is determined by calculating the number of days between the application received date and the date the fund payment report is mailed, for each application. To determine the average time to process applications, the sum of the number of days required process the applications is divided by the number of applications process during the reporting period.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Non-cumulative.</p> <p><b>New Measure:</b> No.</p> <p><b>Desired Performance:</b> Near or below projections.</p>	
<b>Explanatory</b> 03-01-02.01	<b>Average cost per petroleum storage tank cleanup</b>
<p><b>Short Definition:</b> Average cost for cleanup of petroleum storage tank sites.</p> <p><b>Purpose/Importance:</b> This measure reflects the average amount of reimbursement for each petroleum storage tank site.</p> <p><b>Source/Collection of Data:</b> This measure will be calculated by reporting on the average amount of reimbursement for each petroleum storage tank site in the cleanup process by dividing the total amount paid in reimbursements for petroleum storage tank cleanups by the total number of reimbursements processed. This information is maintained on a Registration, Review, and Reporting Division database. Staff enter new applications including the requested amount into the reimbursement process database. As applications are processed, staff update the database to indicate where the application is in the review process. When the application processing is complete a fund payment report is mailed to the applicant. The amount paid to the applicant is listed in the database.</p> <p><b>Method of Calculation:</b> A Registration, Review, and Reporting Division database will be queried for and the total amount paid in reimbursements for petroleum storage tank cleanups will be divided by the total number of reimbursements processed. To determine the average cost to cleanup a petroleum storage tank site a calculation is performed on the database to determine the amount paid on each storage tank site. The average is calculated by divided the sum of the amounts paid on each site by the number of sites on which a payment was made.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Non-cumulative.</p> <p><b>New Measure:</b> No.</p> <p><b>Desired Performance:</b> Near projections.</p>	
<b>Output</b> 03-01-03.01	<b>Immediate response actions conducted to protect human health and environment</b>
<p><b>Short Definition:</b> Emergency (Immediate) response actions conducted to protect human health and environment</p> <p><b>Purpose/Importance:</b> Reflects the number of removal actions conducted to protect human health and the environment.</p> <p><b>Source/Collection of Data:</b> Using an automated system maintained by the Remediation Division of the Office of Permitting, Remediation, and Registration, this measure will report the total number of incidents where removal actions were conducted to protect human health and the environment.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> Yes</p> <p><b>Desired Performance:</b> Near projections.</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

<b>Output</b> 03-01-03.02	<b>Number of Superfund site assessments</b>
<p><b>Short Definition:</b> The number of potential Superfund sites that have undergone an eligibility assessment for either the state or federal Superfund program.</p> <p><b>Purpose/Importance:</b> This measure provides an indication of the agency's efforts to prioritize contaminated sites for assessment under the Superfund program during the reporting period.</p> <p><b>Source/Collection of Data:</b> Using an agency database maintained by the Remediation Division, the number of Superfund program eligibility assessments performed are tracked by completion date.</p> <p><b>Method of Calculation:</b> At the end of each quarter the database is used to arrive at a total number of Superfund program eligibility assessments performed during that quarter. The total for each quarter is added to the total for any previous quarters during that fiscal year to come up with a cumulative total of eligibility assessments performed during that fiscal year.</p> <p><b>Data Limitations:</b> Eligibility assessments are conducted on sites referred to us by various entities (consisting of but not limited to the U.S. Environmental Protection Agency, TNRCC Enforcement, and the State Attorney General's Office). Depending on the number of sites that are waiting for an eligibility assessment at any given time, the number of eligibility assessments that are performed each quarter is dependent on the number of referrals received.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Higher than target is desired if there is a backlog of eligibility assessments to be performed. Otherwise a lower than target number would be desired indicating fewer referrals to the Superfund program.</p>	
<b>Output</b> 03-01-03.03	<b>Number of voluntary and brownfield cleanups completed</b>
<p><b>Short Definition:</b> The number of voluntary cleanup and brownfields sites which have completed necessary response actions through either the removal, decontamination, or control of contamination to levels which are protective of human health and the environment.</p> <p><b>Purpose/Importance:</b> Upon completion of response action(s), a certificate of completion is given to the applicant which states that all non-responsible parties are released from all liability to the state for any past contamination. This liability protection provides significant incentives for both site owners/operators and prospective purchasers to voluntarily bring contaminated sites into the Voluntary Cleanup Program and complete necessary cleanups.</p> <p><b>Source/Collection of Data:</b> Site owners/operators or prospective purchasers voluntarily submit an application and an agreement to the VCP. VCP personnel evaluate the site's eligibility to remain in the VCP and review the applicant's goals for site cleanup, including their schedule for conducting necessary site investigation and cleanup. Upon completion of site cleanup, VCP staff approve a final report based upon the applicant's meeting all of the necessary regulatory standards for the site. Once it has been determined that the site is protective of human health and the environment, a certificate of completion is issued to the applicant. The number of certificates of completion issued each quarter is reported in this performance measure.</p> <p><b>Data Limitations:</b> TNRCC has no control over the number of site owners/operators and prospective purchasers who voluntarily enter the VCP since their choice controls the number of sites which enter the VCP and the completion of the tasks necessary for issuance of a certificate of completion.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Higher than target</p>	
<b>Output</b> 03-01-03.04	<b>Number of Superfund evaluations underway</b>
<p><b>Short Definition:</b> The number of state and federal Superfund sites undergoing evaluation.</p> <p><b>Purpose/Importance:</b> Reflects the number of state and federal Superfund sites that are undergoing the evaluation phase of the Superfund process.</p> <p><b>Source/Collection of Data:</b> Using an automated agency system maintained by the Remediation Division of the Office of Permitting, Remediation, and Registration, the number of state and federal Superfund sites undergoing the evaluation phase of the Superfund process.</p> <p><b>Method of Calculation:</b> Database query.</p> <p><b>Data Limitations:</b> The agency has limited control over the federal Superfund program listings, progression of federal site cleanups and deletions. The progression of sites through the federal Superfund program is directly related to federal funding issues, scheduling, and the final approval of submittals, which are reviewed by the U.S. Environmental Protection Agency. Department of Defense (DOD) and Department of Energy (DOE) funding issues that are beyond the TNRCC's control also effect the progress of</p>	



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

Superfund sites which are federal facilities. Additionally, the agency cannot accurately predict how many federal sites will be discovered and added to the program during any given year.

Since Superfund sites are abandoned or inactive sites, each site is unique and has inherent unknowns (i.e., the nature and extent of the contamination problems) to be investigated before a remedy can be formulated. Since the program is required to investigate the nature and extent of the contamination for each site, there is not an accurate way of predicting when a site will move from an evaluation phase to a cleanup phase.

**Calculation Type:** Non-cumulative.  
**New Measure:** No  
**Desired Performance:** Near projections.

<b>Output</b> 03-01-03.05	<b>Number of Superfund cleanups underway</b>
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**Short Definition:** The number of state and federal Superfund sites undergoing cleanup.

**Purpose/Importance:** Reflects the total number of state and federal Superfund sites that are in the cleanup phase.

**Source/Collection of Data:** Using an automated agency system maintained by the Remediation Division of the Office of Permitting, Remediation, and Registration, the number of state and federal Superfund sites undergoing the cleanup phase of the Superfund process.

**Method of Calculation:** Database query.

**Data Limitations:** The agency has limited control over the federal Superfund program listings, progression of federal site cleanups and deletions. The progression of sites through the federal Superfund program is directly related to federal funding issues, scheduling, and the final approval of submittals, which are reviewed by the U.S. Environmental Protection Agency. Department of Defense (DOD) and Department of Energy (DOE) funding issues that are beyond the TNRCC's control also effect the progress of Superfund sites which are federal facilities. Additionally, the agency cannot accurately predict how many federal sites will be discovered and added to the program during any given year.

Since Superfund sites are abandoned or inactive sites, each site is unique and has inherent unknowns which may be discovered during the cleanup phase (i.e., unanticipated groundwater impacts or increased soil impacts not revealed in the evaluation phase). Since the program is required to address soil and groundwater contamination concerns for each site, accurately predicting when a site will progress from the cleanup phase to cleanup completion is difficult.

**Calculation Type:** Non-cumulative.  
**New Measure:** No  
**Desired Performance:** Near projections.

<b>Output</b> 03-01-03.06	<b>Number of Superfund cleanups completed</b>
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**Short Definition:** The number of state and federal Superfund sites that were cleaned up during a reporting period that no longer pose an unacceptable risk to human health or the environment.

**Purpose/Importance:** Reflects the number of state and federal Superfund site cleanups completed during a reporting period.

**Source/Collection of Data:** Using an automated agency system maintained by the Remediation Division of the Office of Permitting, Remediation, and Registration, the number of state and federal Superfund sites attaining cleanup completion status in a reporting period.

**Method of Calculation:** Database query.

**Data Limitations:** The agency has limited control over the federal Superfund program listings, progression of federal site cleanups and deletions. The progression of sites through the federal Superfund program is directly related to federal funding issues, scheduling, and the final approval of submittals, which are reviewed by the U.S. Environmental Protection Agency. Department of Defense (DOD) and Department of Energy (DOE) funding issues that are beyond the TNRCC's control also effect the progress of Superfund sites which are federal facilities. Since Superfund sites are abandoned or inactive sites, each site is unique and has inherent unknowns which may delay attainment of the projected cleanup completion date.

**Calculation Type:** Cumulative.  
**New Measure:** No  
**Desired Performance:** Near projections.

<b>Efficiency</b> 03-01-03.01	<b>Average time (days) for immediate response actions</b>
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**Short Definition:** Average time (days) for emergency (immediate) response actions  
**Purpose/Importance:** Reflects average time required to complete immediate response actions



## Performance Measures and Definitions — Fiscal Year 2001 (Continued)

*(The performance measures and definitions below have not received formal approval from the LBB/GOBP at the time of this printing.)*

<p><b>Source/Collection of Data:</b> Using a manual calculation of data tracked by the Remediation Division of the Office of Permitting, Remediation, and Registration, this measure will report the total number of days for response times divided by the number of incidents where removal actions were conducted to protect human health and the environment. Response time is counted from the beginning of contracted action until completion of the cleanup.</p> <p><b>Data Limitations:</b> Under review</p> <p><b>Calculation Type:</b> Non-cumulative</p> <p><b>New Measure:</b> Yes</p> <p><b>Desired Performance:</b> Near projections.</p>	
<b>Explanatory</b> 03-01-03.01	<b>Number of potential Superfund sites to be assessed</b>
<p><b>Short Definition:</b> The number of potential Superfund sites that have undergone an eligibility assessment for either the state or federal Superfund program.</p> <p><b>Purpose/Importance:</b> This measure provides an indication of the agency's efforts to prioritize contaminated sites for assessment under the Superfund program during the reporting period.</p> <p><b>Source/Collection of Data:</b> Using an agency database maintained by the Remediation Division, the number of Superfund program eligibility assessments performed are tracked by completion date.</p> <p><b>Method of Calculation:</b> At the end of each quarter the database is used to arrive at a total number of Superfund program eligibility assessments performed during that quarter. The total for each quarter is added to the total for any previous quarters during that fiscal year to come up with a cumulative total of eligibility assessments performed during that fiscal year.</p> <p><b>Data Limitations:</b> Eligibility assessments are conducted on sites referred to us by various entities (consisting of but not limited to the U.S. Environmental Protection Agency, TNRCC Enforcement, and the State Attorney General's Office). Depending on the number of sites that are waiting for an eligibility assessment at any given time, the number of eligibility assessments that are performed each quarter is dependent on the number of referrals received.</p> <p><b>Calculation Type:</b> Cumulative</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Higher than target is desired if there is a backlog of eligibility assessments to be performed. Otherwise a lower than target number would be desired indicating fewer referrals to the Superfund program.</p>	
<b>Explanatory</b> 03-01-03.02	<b>Number of federal Superfund sites</b>
<p><b>Short Definition:</b> Number of federal Superfund sites.</p> <p><b>Purpose/Importance:</b> Reflects the number of federal Superfund sites.</p> <p><b>Source/Collection of Data:</b> Using an automated agency system maintained by the Remediation Division of the Office of Permitting, Remediation, and Registration, the number of federal Superfund sites for which minimum hazard ranking scores have been determined and have been proposed for the National Priorities List (NPL) since program inception.</p> <p><b>Method of Calculation:</b> Database query.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Cumulative.</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Near projections.</p>	
<b>Explanatory</b> 03-01-03.03	<b>Number of state Superfund sites</b>
<p><b>Short Definition:</b> Number of state Superfund sites</p> <p><b>Purpose/Importance:</b> Reflects the number of state Superfund sites.</p> <p><b>Source/Collection of Data:</b> Using an automated agency system maintained by the Remediation Division of the Office of Permitting, Remediation, and Registration, the number of state Superfund sites for which minimum hazard ranking scores have been determined and have been proposed for the State Registry since program inception.</p> <p><b>Method of Calculation:</b> Database query.</p> <p><b>Data Limitations:</b> None identified.</p> <p><b>Calculation Type:</b> Cumulative.</p> <p><b>New Measure:</b> No</p> <p><b>Desired Performance:</b> Near projections.</p>	



# APPENDIX E

## REPORT ON CUSTOMER SERVICE

### COMPACT WITH TEXANS

The Texas Natural Resource Conservation Commission pledges through this Compact with Texans to provide the best possible service to our customers.

The TNRCC is one of the most comprehensive state environmental agencies in the nation. Our responsibilities are grossly diversified and include those of permitting, licensing, compliance, enforcement, pollution prevention programs and education related to preservation and protection of our air and water quality and safe disposal of waste. The TNRCC has approximately 2,800 employees, 16 regional offices, and an annual budget that exceeds \$350 million funded primarily by regulatory program fees, federal funds and the state general revenue fund. For more information, call 512/239-1000 or follow this web link (<http://www.tnrcc.state.tx.us/about.html>).

The Office of Permitting, Remediation and Registration is responsible for implementing the federal and state laws and regulations governing all aspects of permitting for air, water and waste programs. The division also oversees the investigation and cleanup of hazardous pollutants released into the environment; registers and manages the reporting requirements for certain facilities; and implements the petroleum storage tank reimbursement program. For more information about the timelines and requirements for a permit of specific interest to you, call 512/239-2104 or follow this web link (<http://www.tnrcc.state.tx.us/about.html>).

The Compliance Support Division issues occupational licenses to qualified individuals in the environmental professions ranging from on-site sewage system installers to public water system operators. The licensing requirements for each program are based on job analyses which identify licensee job tasks for the purposes of training and examination development. In general, the licensing activities involve, application review for verification

of licensee qualifications such as, experience, education, completion of basic training courses and an examination; review of renewal applications for continuing education requirements; performance of job analysis; examination development and administration; training approval; and initiation of enforcement actions when necessary. After qualifications are verified, most licenses will be issued within 45 days. For more information about occupational licenses, follow this web link (<http://www.tnrcc.state.tx.us/enforcement/csd/ocs/>) or call 512/239-6300.

The Texas Natural Resource Conservation Commission is dedicated to serving the people of Texas and ensuring meaningful public participation in the decision making process. To accomplish these goals, we pledge and commit to the following:

- Responding to all customers in a timely, efficient and professional manner, in compliance with all applicable state and federal statutes and regulations;
- Providing clear, concise and accurate information related to all applicable licensing and certification procedures via written materials and our official website;
- Establishing a Public Input section of our website which will contain comprehensive information related to public participation for all aspects of our operations including but not limited to permitting, rulemaking, compliance and customer service contacts;
- Tracking and responding to customer service complaints in a timely manner; and
- Providing safe, clean and accessible facilities across the state.

We realize that no matter what processes we implement, there will be times when we do not meet the needs of our customers at the service level expected and we are always looking for ways to

improve. We are proud to have in place a process which will immediately address those times. Our complaint process has a two fold mission:

*Swiftly and effectively address the issue at hand and take the appropriate action to avoid similar future dissatisfaction.*

In addition to effective, our complaint process is equally simple. We have appointed a Customer Service Representative, Jody Henneke, the Director of our Office of Public Assistance. Ms. Henneke will monitor complaints and ensure swift and efficient resolution as well as process modification as necessary. She can be reached at (512)239-4085 or at the Internet address shown below. She will then forward the complaint to the appropriate office for attention. It is our promise that all complaints will be addressed and a written notification sent to the complainant within two working days and resolved within ten working days from receipt.

The Texas Natural Resource Conservation Commission continually strives to provide quality customer service and we value your opinion and encourage you to tell us about your experience with us and what you think about our service and how you believe we can improve. We ask that you take a moment to complete our customer survey located on the Internet to assist us in serving you better in the future.

[www.custserv@tnrcc.state.tx.us](mailto:www.custserv@tnrcc.state.tx.us)

## ***FY2000 Customer Satisfaction Survey Results***

In accordance with SB 1563, the Texas Natural Resource Conservation Commission (TNRCC) surveyed direct recipients of state services to measure customer satisfaction. While the number of customers served by the TNRCC is infinite, it was determined to target the primary organizations and associations served by the TNRCC. Therefore, a printed survey was mailed to a list of 192 groups affected by agency actions or that represent others served by or affected by agency actions. This list was prepared for the TNRCC's Sunset Self-Evaluation Report, and included groups such as The Administrative & Public Law Section of the State Bar, Advocates for Responsible Disposal in Texas,

Area Metropolitan Planning Organization, Center for Energy and Economic Development, Citizens Environmental Coalition, Clean Water Action, Colonia Unidas, and the Community Resource Group. The survey was also available on line at [www.tnrcc.state.tx.us](http://www.tnrcc.state.tx.us). Respondents were not specifically informed that they could remain anonymous. The cost of the survey per entity surveyed was nominal.

The survey asked respondents to indicate the type of service that they had received, including permits, fees, rules, enforcement, Small Business Assistance, or other. It also asked that the rate the service received for level of courtesy, responsiveness, timeliness, and accessibility to our facilities. In addition, respondents were asked to rate the quality of the information received in the areas of ease of understanding, helpfulness, how informed agency staff was, and how easy it was to find information on the TNRCC Web site and how useful the information was when found.

The respondents were also asked which types of information they had received from the agency, including letters, guidance or policy documents, rules, technical documents, newsletters or other agency publications. Lastly, respondents were asked, if they had filed a complaint, to rank the agency on professionalism and timeliness. They were also asked if they had received a written response to their complaint and asked if they had other comments or suggestions on how the TNRCC could serve them better.

Each respondent could rate the agency in the categories of service, quality of information, and how complaints were handled with a score of one to four with one being poor and four being excellent.

This survey was not scientific in that surveys were mailed to such a limited group of respondents, and so few replied. It was also made available to an undefined universe by its availability on the Web site.

## **OVERALL RESULTS**

Of the 192 written surveys sent and with the survey made available on the Web site, there were a total of 50 responses, six of which were returned via Internet. This translates into a 24% response rate for the written responses. Of the total 50 responses, only 29 were valid for analysis purposes, since 21 did not indicate a type of service received. In fact, 14 of the



21 specifically answered “n/a,” “none,” or “not any” as the type of service received. This reduces the response rate to 16%. Of the 29 remaining, 17 indicated a good to excellent rating (3.00 or above), seven indicated a fair to good rating (2.00 - 2.99), and five were below 2.00. The averages of these 29 valid responses are below:

Service	# of Responses	Average Score
Courtesy	29	3.00
Responsiveness	28	2.68
Timeliness	29	2.59
Accessibility to our facilities	27	3.00
<b>Information</b>	<b># of Responses</b>	<b>Average Score</b>
Ease of understanding	28	3.00
Helpfulness	29	2.93
How informed were we	25	2.96
<b>Web Site</b>	<b># of Responses</b>	<b>Average Score</b>
Ease of finding information	22	2.73
Usefulness of information	20	3.00
<b>Complaint Handling</b>	<b># of Responses</b>	<b>Average Score</b>
Professionalism	12	2.08
Timeliness	11	2.09

**Score Key:** 1 = Poor, 2 = Fair, 3 = Good, 4 = Excellent

## FURTHER ANALYSIS

To provide a more useful analysis, the results are broken out by type of service received by the respondent. The types of service include permits, fees, rules, enforcement, Small Business Assistance, and other. For these purposes, those respondents indicating more than one service are also be lumped together as a separate category, called “Mixed.”

## PERMITS

Only two of the respondents received assistance only in the area of permits. One respondent rated the TNRCC Service as excellent in all categories. The other rated the TNRCC service as poor in all categories except that the information given them (in this case a letter) was rated as fair in the area of “Ease of Understanding.” This respondent added the comment “Received your letter, needed date of permit. How hard would it be to include this data base?”

## FEES

There were no responses that indicated that the TNRCC provided service only in the area of fees.

## RULES

There were seven responses that indicated that the service received from TNRCC staff concerned

rules. Every type of information listed on the survey was received by at least one respondent. Only two respondents ranked any service area as poor and both had comments as explanation. One respondent indicated that they had filed a complaint and they rated the Professionalism of the TNRCC handling of the complaint as poor and the Timeliness as fair. They added the comment “Work with Stakeholders early in the process” as explanation.

The other respondent ranked the responsiveness of the service received as poor and noted “Never received them” in regards to rules requested.

The average scores for service and information are indicated below.

Service	Average Score
Courtesy	2.86
Responsiveness	2.43
Timeliness	2.57
Accessibility to our facilities	3.17
<b>Information</b>	<b>Average Score</b>
Ease of understanding	2.83
Helpfulness	2.71
How informed were we	2.83
<b>Web Site</b>	<b>Average Score</b>
Ease of finding information	2.86
Usefulness of information	3.17

**Score Key:**

1 = Poor, 2 = Fair, 3 = Good, 4 = Excellent

Only one respondent indicated that they had filed a written complaint. This respondent rated the TNRCC complaint handling as poor in the area of Professionalism and fair as far as timeliness was concerned. This respondent had the comment “Work with stakeholders early in process.”

## ENFORCEMENT

There was one response received that indicated only enforcement as a service received. This respondent ranked the TNRCC as excellent or good in every category of service or information received. They had no comments.

## SMALL BUSINESS ASSISTANCE

There were two respondents that indicated Small Business Assistance (SBA) service only. One of the respondents ranked SBA as excellent or good in all areas of service, information, and complaint handling and added the comment “Keep the small bus. assistance program - it is the best thing in state government”. The other respondent ranked the SBA as poor in all areas but did not provide any comments.

## OTHER

There were eight responses that fall under the classification of Other. Five of the respondents listed the types of service received. These include signing for funds for a law suit, assistance with inspection of pesticide containment, general technical support and recycling, public information, and SEP program. Three respondents did not mention a specific type of service received, but indicated “residential” as the service. The five respondents that listed the service received were very positive in their scores. The lowest score of these five was from the respondent that signed for funds for a law suit gave the TNRCC a fair rating on Timeliness, but good in all other regards.

All three of the respondents that listed the service received as residential rated the TNRCC as poor in all applicable areas. Only one of these respondents commented and they stated “I think when new company open in our area that they should be check thoroughly, to make should that they don’t open.”

The average scores for service and information are indicated below.

---

<b>Service</b>	<b>Average Score</b>
Courtesy	2.63
Responsiveness	2.63
Timeliness	2.38
Accessibility to our facilities	2.50

<b>Information</b>	<b>Average Score</b>
Ease of understanding	2.75
Helpfulness	2.75
How informed were we	2.43

<b>Web Site</b>	<b>Average Score</b>
Ease of finding information	2.17
Usefulness of information	2.17

<b>Complaint Handling</b>	<b>Average Score</b>
Professionalism	2.25
Timeliness	1.75

---

### Score Key:

1 = Poor, 2 = Fair, 3 = Good, 4 = Excellent

## MIXED

There were nine responses that indicated more than one type of service received. Although the comments and responses of these surveys cannot be tied directly to any particular service offered by TNRCC staff, each of the nine indicated that they had received aid with rules. It can also be noted that these responses are higher across the board than any other breakdown. It appears that these respondents have had more than one encounter with TNRCC staff.

The average scores for service and information are indicated below.

---

<b>Service</b>	<b>Average Score</b>
Courtesy	3.67
Responsiveness	2.78
Timeliness	2.89
Accessibility to our facilities	3.67

<b>Information</b>	<b>Average Score</b>
Ease of understanding	3.44
Helpfulness	3.33
How informed were we	3.44



Web Site	Average Score
Ease of finding information	3.17
Usefulness of information	3.50

Complaint Handling	Average Score
Professionalism	2.25
Timeliness	2.50

**Score Key:**

1 = Poor, 2 = Fair, 3 = Good, 4 = Excellent

**NO SERVICE NOTED**

The 21 responses that did not indicate any sort of service received from TNRCC staff were generally very negative. Many were duplicates of each other. One was sent in without any information at all, and seven only contained the comment "I was never contact from anyone."

However, two of the responses were very positive. One appears to be from a citizen that filed a complaint and received good service. The other seems to be from a citizen that came in for agency publications and used the Web site for information.

***Customer Service Survey  
Performance Measures***

Measure	Performance
Percentage of Customers Expressing Overall Satisfaction with Service Provided	59%
Percentage of Surveyed Customers Identifying Ways to Improve Customer Service	21%
Number of Customers Surveyed*	192
Number of Customers Served	19,759,614

\* NOTE: 192 surveys were mailed to associations and primary organizations who make up the regulated community. However, the survey was also available on the website for anyone to complete. And the associations and organizations were encouraged to provide the survey to their members for input and they were notified of the online survey.





# APPENDIX F

## 1999–2000 SURVEY OF ORGANIZATIONAL EXCELLENCE

### BACKGROUND

The Survey of Organizational Excellence (SOE) was developed in 1979 in response to Governor Clements' concerns regarding how Texas state employees viewed working for the state. The survey has evolved into both an empowerment and accountability tool that can enable both private organizations and public agencies to meet the challenges of the future. No efforts of comparable size and comprehensiveness have been identified either at the federal or state level.

For the 1999/2000 Survey 2,847 surveys were distributed and 1,298 returned. This translates into a 46% response rate, compared to the overall state response rate of 53.4%. In 1998 the TNRCC distributed only 1,357 surveys, of which 670 were returned, for a 49% response rate. In 1996 all TNRCC employees received surveys and 56% of the staff returned them. The reduction in response rate for 1999/2000, compared to previous years, could be due to errors in distribution, including the lack of an updated employee list and the fact that the agency revised the due date for responses after an earlier date had already passed on the cover letter that accompanied the survey.

The survey data provide information about work force issues that affect the quality of service. Information is provided about employees' perceptions of the effectiveness of their own organization, as well as employees' satisfaction with their employer. The leaders of various organizations have used this survey as a tool to improve services, create new procedures, and benchmark results.

The SOE more specifically contains data on the following:

- the strength of supervision,
- the clarity of organizational focus upon goals and outcomes,
- how clearly and focused communication appears to be,

- how much quality, excellence and innovation are stressed and supported, and
- how well the employees feel they are treated as members of the organization .

The TNRCC now has three sets of data. The University of Texas can provide customized over-time analysis of the TNRCC trends, as well as comparisons to the state as a whole, agencies of comparable mission, and agencies of comparable size (1,001 to 10,000 employees, including institutions of higher education)

### ORGANIZATION OF THE SURVEY

The survey consists of 65 primary questions and 16 over-time questions, combined to form 20 "Survey Constructs," which are broad subcategories that broadly profile strengths, weaknesses and/or workplace issues. These constructs are then combined into five even broader categories, called "Workplace Dimensions." The relationship of "Survey Constructs" to "Workplace Dimensions" is illustrated in the table below.

In addition to the standard survey questions, the survey also included 20 questions that were provided by the TNRCC. Three specific questions concerning workplace violence, a new priority with the agency, were included in these customized questions for 1999/2000.

Constructs are scored from 100 to 500, with 300 points indicating the neutral midpoint. Scores below 300 indicate more negative feelings about the issue from the employees, and scores above 300 indicate more positive feelings about the issue from the employees. When interpreting the SOE data, any construct (or individual question) that receives a 200 or below should be of significant concern for the organization. It should be noted that the TNRCC employees have never rated any construct at or below 200 over the course of SOE testing.

## DEFINITIONS OF WORKPLACE DIMENSIONS

**Work Group:** How effective are work teams in which employees come face-to-face with each other and their supervisors?

**Work Setting:** How do employees rate the physical working conditions and tools, as well as the agency monetary and related rewards?

**Organizational Features:** How do employees rate the organization in terms of its goals, vision and mission?

**Communication:** How does communication occur within the organization and to the outside?

**Personal Demands:** How well are employees handling the psychological demands of the work environment?

## SURVEY COMPARISONS

The following table represents the TNRCC construct scores, sorted by Workplace Dimension, for each of the three times the agency has participated in the survey. The State Scores for 1999/2000 are also included to allow comparison with the TNRCC scores.

## TNRCC AREAS OF CONCERN

There are no constructs in which TNRCC scored an overall 200 or less, but there are 10 that are below the neutral 300 mark. The five constructs entitled Fair Pay, Supervisor Effectiveness, Empowerment, Fairness, and Team Effectiveness are the TNRCC's lowest-scoring constructs, and were identified by The University of Texas as areas of concern. They are listed below in order of concern, lowest scoring construct first.

### Fair Pay

The "Fair Pay" construct is defined as "...how well the compensation package holds up when employees compare it with those of similar jobs in other organizations." When the scores for this construct are low, it indicates that employees feel they do not have the ability to maintain a standard of living similar to that offered by comparable work in other organizations. Turnover rate and employee complaints are probably high.

WORK PLACE DIMENSION	SURVEY CONSTRUCTS BY DIMENSION	TNRCC SCORES			STATE SCORES
		1996	1998	1999/2000	1999/2000
Workgroup	<b>Job Satisfaction</b>	<b>317</b>	<b>319</b>	<b>317</b>	<b>338</b>
	Fairness (-)	283	280	275	289
	<b>Diversity</b>	<b>303</b>	<b>307</b>	<b>306</b>	<b>322</b>
	Supervisor Effectiveness (-)	255	259	261	293
	Team Effectiveness	276	276	278	319
Work Setting	<b>Physical Environment</b>	<b>322</b>	<b>324</b>	<b>328</b>	<b>358</b>
	<b>Employee Development (+)</b>	<b>328</b>	<b>323</b>	<b>331</b>	<b>331</b>
	<b>Benefits (+)</b>	<b>351</b>	<b>349</b>	<b>340</b>	<b>366</b>
	Fair Pay (-)	279	271	252	302
Organizational Features	Change Oriented	291	291	286	323
	Holographic	284	284	283	317
	<b>Strategic Orientation (+)</b>	<b>366</b>	<b>366</b>	<b>366</b>	<b>392</b>
	<b>Quality</b>	<b>336</b>	<b>328</b>	<b>323</b>	<b>360</b>
	Goal Oriented	294	292	288	338
Communication	<b>External (+)</b>	<b>339</b>	<b>338</b>	<b>341</b>	<b>362</b>
	Internal	278	279	283	316
	Availability	282	276	279	323
Personal Demands	<b>Time and Stress (+)</b>	<b>352</b>	<b>351</b>	<b>344</b>	<b>336</b>
	Burnout	287	284	280	325
	Empowerment	263	262	262	304

#### Notes:

**BOLD** indicates 1999/2000 Constructs with raw scores 300 or greater.

(+) indicates Constructs that The University of Texas recognizes as TNRCC Strengths.

(-) indicates Constructs that The University of Texas recognizes as TNRCC Concerns.



This construct is composed of two primary questions:

- Salaries are competitive with similar jobs in the community.
- Benefits are comparable to those offered in other jobs.

SOE Suggested Interventions:

- Increase pay.
- Conduct wage comparison studies to determine whether unfair pay standards exist.
- Provide increased employment benefit package.
- Develop and communicate clearly defined policies for raises and promotions.
- Show that management openly recognizes such complaints.

## Supervisor Effectiveness

This construct explores employee perceptions of issues such as the quality of communication, leadership, thoroughness, and fairness among supervisors and employees.

Although the TNRCC scores show a slight upward trend, they are still well below the neutral 300 point mark. This construct has been indicated as an area of concern by The University of Texas each time the survey has been taken. The scores suggest that training on supervisory skills may be needed and that supervisory relationships may not align with the agency mission or the desired values of the agency.

This construct is composed of the following primary questions:

- Work groups receive adequate feedback that helps improve their performance.
- Employees have an opportunity to participate in the process of strategic planning and goal setting.
- Employees seem to be working toward the same goals.
- Each employee is given the opportunity to be a leader.
- Employees are given accurate feedback about their performance.
- Management knows whether an individual employee's life goals are compatible with organizational goals.

- People who challenge the status quo are valued.
- Promotion recommendations are made by a team of evaluators.
- Raises and promotions are designed to ensure that workers are rewarded solely for their performance.

## SOE Suggested Interventions

1. Train supervisors.
2. Examine how supervisors are selected.
3. Closely tie supervisory conferences to organizational goals and individual job tasks.
4. Establish career development procedures for supervisory and management development.
5. Develop internal evaluation tools.

## Empowerment

The amount of control employees have over their jobs and the outcome of their work are the primary components this construct measures. If the work environment is viewed by employees as supportive and efficient, the scores should be over the neutral 300 point mark. Low scores indicate that employees feel the hierarchy interferes with innovation and progress.

The primary questions making up this construct include:

- Employees feel that they must always go through channels to get their work done.
- Employees know how their work impacts other employees in the organization.
- Employees seem to be working toward the same goals.
- There is a basic trust among employees and management.
- Each employee is given the opportunity to be a leader.
- Employees feel a sense of pride when they tell people that they work for this organization.
- People who challenge the status quo are valued.

SOE Suggested Interventions

- Train supervisors.
- Review how decisions are made throughout the organization.

- Flatten the organizational structure.
- Analyze management span of control to determine methods of greater delegation of power and responsibility.
- Increase employee responsibility in identifying the best way to do their job.

## Fairness

This construct measures the extent to which employees perceive that there is a level playing field for all members of the organization and that performance is judged by fair, open, and job-based criteria. The scores for this construct show a downward trend over time. This may mean that employees feel that no one seems to be in charge, or open examination and thinking are discouraged. Improvements in this construct's scores might be made by ensuring that excellent work is rewarded differently than average work, improving trust between the employees and management, and offering alternative work schedules to employees.

The primary questions for this construct are:

- Average work is rewarded the same as excellent work.
- There is a basic trust among employees and management.
- Alternative work schedules (flex-time, compressed work weeks, job sharing) are offered to employees.
- Raises and promotions are designed to ensure that workers are rewarded solely for their performance.

### SOE Suggested Interventions

- Promote organizational cultural change toward participation and openness.
- Establish quality teams to openly examine how people are given assignments and promotions.
- Make data available to clearly explain how people are given assignments and promotions.
- Train supervisors in speaking openly and candidly with employees.

## Team Effectiveness

This construct refers to the employees' perceptions of how effective their work groups or teams are and

how the organizational environment supports cooperation among employees. Gossip, lack of cooperation among employees, lack of accomplishment, employees preferring to work independently, and other conflicts are manifestations of an organization with low scores in this area. Customers may feel like "...the right hand does not know what the left hand is doing."

The primary questions that make up this construct are:

- Work groups receive adequate feedback that helps improve their performance.
- Decision making and control are given to employees doing the actual work.
- There is a basic trust among employees and management.
- Employee productivity is high.
- We "walk our talk."

## SOE Suggested Interventions

- Train in teamwork.
- Redesign work to permit teams to define work procedures, output measures, etc. Structure performance evaluations to support work team results.

## TNRCC AREAS OF STRENGTH

There are no constructs in which TNRCC achieved an overall score of 400 or greater, but there are 11 constructs that were above the neutral 300 mark. The following five constructs: Strategic Orientation, Time and Stress Management, External Communication, Benefits, and Employment Development were the TNRCC's highest scoring constructs, and identified by The University of Texas as areas of TNRCC strength.

### Strategic Orientation

This construct represents employees' thinking about how the organization responds to external influences in regard to the agency's mission, services, and products. The higher the score, the more vision the employees feel the agency possesses.

Related primary questions include:

- We are known for our customer service.
- We know who our customers are.
- We work well with other organizations.
- We work well with our governing bodies (the legislature, the board, etc.).



- We work well with the public.
- We understand the state, local, national, and global economic issues that impact this organization.

### **Time and Stress Management**

This construct looks at the extent to which employees feel that job demands are realistic, given time and resource limitations, and whether the work environment supports employees in balancing home and work demands. In 1998 this was the highest-scoring construct for the TNRCC, and the second highest-scoring for the 1999/2000 survey. Even using The University of Texas' updated construct scores for 1998, the TNRCC's score of 351 was higher than the state average of 340 on this construct.

Two of the top-scoring primary questions for the agency are related to this construct. They are:

- Alternative work schedules (flex time, compressed work weeks, job sharing) are offered to employees.
- The environment supports a balance between work and personal life.

High scores on these questions indicate that alternative work schedules help reduce the stress level of the employees, reducing absenteeism.

### **External Communication**

How information flows into and out of the agency is analyzed by this construct. How the information is utilized is also a consideration. High scores indicate that employees present a unified, clear, and effective message of the agency's mission.

Primary questions related to this construct include:

- Computerized information is shared as appropriate with other organizations.
- The work atmosphere encourages open and honest communication.
- We work well with the public.
- We understand the state, local, national, and global economic issues that impact this organization.
- Employees have access to information about job opportunities, conferences, workshops, and training.

Further improvements might be made, according to The University of Texas, by designing

information handouts, viewing all employees as ambassadors, and utilizing such things as the media or the Internet to communicate the mission, goals, programs, and other information to the public.

### **Benefits**

The construct provides an indication of the role the benefits package (health care, vacation, retirement, etc.) plays in attracting and retaining employees in the organization. Although TNRCC employees gave this construct a score of 300 on the 1999/2000 survey, this is nine points lower than the 1998 score and two points lower than the 1996 score.

This construct is composed of three primary questions:

- Benefits can be selected to meet individual needs.
- Benefits are comparable to those offered in other jobs.
- The overall benefits and compensation packages offered by the state were a consideration for me to take this position.

The agency scores indicate a downward trend. To reverse this, The University of Texas suggests such interventions as improving the employees' understanding of benefits, and educating employees about how benefits relate to other community and governmental supports, such as social agencies, Social Security, personal savings, etc.

### **Employee Development**

The construct "Employment Development" is an assessment of the priority given to employees' personal and job growth. Effective training programs and the development of career ladders may be some of the reasons for the high scores. Employees see that there is a substantial investment in providing training and acquiring technology to improve job performance.

Three of the related primary questions are:

- Work groups (that group of people with whom you have daily contact) are trained to incorporate the opinions of each member.
- Training is made available to employees so that they can do their job better.
- Employees have access to information about job opportunities, conferences, workshops, and training.

The fourth primary question, "Management knows whether an individual employee's life goals are compatible with organizational goals" was the lowest-scoring related question. Increasing advancement opportunities, ensuring fair access to internal positions, and strengthening ties between organizational strategies and procedures for developing employees are all mentioned by The University of Texas as ways to improve this area.

## **FURTHER ACTION**

The preceding information was drawn from the data provided by The University of Texas, School of Social Work. The associated reference document, *Reinventing Texas Government*, by Michael Lauderdale, contains many actions, best practices, timelines and checklists as aids in using data from the Survey of Organizational Excellence. Mr. Lauderdale explains that using the survey as a tool can signal the move of an organization from traditional bureaucratic control to visionary leadership. This report is not written to confirm or critique this management philosophy. Executive managers of the TNRCC can best determine which course(s) of action to take after they review those data and determine agency priorities.

One procedure for responding to survey results, endorsed by the SOE, is briefly outlined below. It provides an example of actions that can be taken to determine how the TNRCC will use the survey data. Some of the steps have already been undertaken.

Review data with executive staff. The survey can be used to set a direction for organizational change. By providing executive managers with the information in a concise format, they can assess the response rate, identify the agency's strengths and weaknesses, designate a change team, and determine a top priority change topic. After reviewing constructs and any supplemental information, they can circulate the SOE results to agency staff. Subject matter experts within the Training Academy can explain the results contained in this report, or can provide more detailed analyses of construct scores if executive managers so desire.

Spread the effort across several meetings. Breaking the information up into three or four weekly or monthly reports or newsletters is the recommended method of presenting the SOE results. Balancing the areas of concern with areas of strength

is also recommended. Currently, the SOE information is due to be updated on the Agency T-Net, as soon as executive managers approve publication of this report. This information includes the background information, table of comparisons, as well as graphs and basic trend information for each construct. Another option is to prepare a series of articles for publication in the Natural Resource. Placing a copy of the Final Report in the agency's library for staff review provides another method of sharing information.

Build the Change Team. To provide a structure to continue the movement towards positive change, an executive-led team, with members from various areas of the agency, can be put in place. Dr. Lauderdale suggests that a Change Team be put into place prior to reporting the results. Should executive managers choose to do this, Training Academy staff can provide analyses to members of this change team, as needed.

Compare results with benchmark scores and previous survey data. The University of Texas School of Social Work can provide individualized comparisons and reports at the request of the Survey Liaison. Looking at trends in construct scores and the individual questions that make up each construct can give the Change Team valuable information as to why a score is low and how to improve the situation. Again, Training Academy staff can perform trend analyses and research the data for the Change Team.

Roll data back to workgroups so that all staff can discuss the data. Getting the information out to all employees and asking for feedback can be very effective. Dr. Lauderdale suggests groups of no more than a dozen at a time. These workgroups can be used in various ways to assist the Change Team.

Set six-month time horizons. Six months is a rule of thumb. Having and publicizing a timeline indicates to employees that the change process is ongoing and continuous. It also conveys the message that executive managers are committed to implementing appropriate changes to the system.

Re-measure for results. After a substantial change, undertaken to improve a situation pointed out by the survey, a routine employee evaluation can measure the success of the project. Starting with activities that permit quick accomplishment builds momentum as well as employee morale and commitment.



# APPENDIX G

## Information Resources Strategic Plan

**Table 1: Goals, Objectives and Strategies**

Item	Description
<b>Goal 1</b>	<p><b>Assessment, Permitting and Prevention</b></p> <p>To protect public health and the environment by accurately assessing environmental conditions, by preventing or minimizing the level of contaminants released to the environment through regulation and permitting of facilities or activities with potential to contribute to pollution levels, by promoting voluntary efforts to prevent pollution, and by assuring the delivery of safe drinking water to Texas citizens at affordable rates.</p>
<b>Objective 1</b>	Support assessment of environmental conditions through application of information technology.
<b>Strategy 1</b>	Integrate environmental monitoring data to support understanding of environmental conditions.
<b>Action Items</b>	<p>Action Item 1 - SBI Water Availability Model Development Project. Continuation of the project is planned to complete all models and the modeling system as required from state mandates. This project involves the management, planning, design, testing, documentation, implementation, and ongoing support of a water availability modeling system to support the requirements of the 75th Legislative Session, Senate Bill 1, and the needs of the TNRCC, TWDB, and TPWD.</p> <p>Action Item 2 - Continuation of implementation and enhancements are planned for the Source Water Assessment and Protection Program Development System Project to satisfy the requirements of the Safe Drinking Water Act Amendments of 1996 through submission of a Source Water Assessment and Protection Program to the EPA. This project results from a state mandate.</p> <p>Action Item 3 - Texas Environmental Monitoring System Functional Improvements Project. This project will support the expanded air monitoring requirements of the EPA 1990 Clean Air Act Amendments for non-attainment counties. This project results from a federal mandate.</p>
<b>Objective 2</b>	Support prevention or minimization of environmental contaminants through regulation and permitting of facilities or activities through application of information technology.
<b>Strategy 2</b>	Integrate identification information for regulated entities and establish a “single identifier.”

## Information Resources Strategic Plan (Continued)

Item	Description
<p><b>Action Items</b></p>	<p>Action Item 4 - Central Registry Development Project. This project will establish a central registry and common identifiers for the management of facility/site information shared across programs and environmental media. This project will be coordinated with other data integration projects. The Office of Waste Management/Office of Water Resource Management Data Integration, State of Texas Air Reporting System, Final Consolidated Compliance &amp; Enforcement Database, Accounts Receivable Module, and Office of Chief Clerk Tracking System Development projects are coordinated with the Central Registry Development Project. <i>Completion of the first phase is planned to be in early FY01. Planning for additional enhancements and integration of agency legacy systems in underway.</i></p> <p>Action Item 5 - Continue the development, implementation, and enhancements to Federal Clean Air Act Information Management System (FCAA IMS) Project. This project provides a computerized information management system that will support the TNRCC in the implementation of the Operating Permits Program (Title V) mandated by the Federal Clean Air Act Amendments of 1990. This project results from a federal mandate.</p> <p>Action Item 6 - Continue the development, implementation, and enhancements for the State of Texas Air Reporting System (STARS) Data Conversion Project. This project includes a database designed to support current emissions inventory practices and development of a conversion system to enable the new system to communicate with the legacy system for emissions inventory, permit and air compliance information (the PSDB). This project is coordinated with the Central Registry Development Project.</p> <p>Action Item 7 - Watermaster Billing and Fees Feasibility and System Development Project. This project provides information on water use and water availability, invoicing, and billing history.</p> <p>Action Item 8 - Continue the development, implementation and enhancements for the Water Utilities Database System Project (Drinking Water Data Management). This project will replace incompatible legacy systems from three functional areas within the Water Utilities Division.</p> <p>Action Item 9 - Continue the development, implementation and enhancements for the Office of Waste Management/Office of Water Resource Management Data Integration (OWM/OWRM) and TRACS Upgrade Project. This project will facilitate the upgrade to databases currently being maintained in antiquated and/or unintegrated systems that address the implementation of ongoing Waste and Water operations related to permit, registration, and feature tracking and workflow. This project</p>



## Information Resources Strategic Plan (Continued)

Item	Description
	<p>could expand to include data integration for the Offices of Compliance &amp; Enforcement and Air Quality. This project is coordinated with the Central Registry Development Project.</p> <p>Action Item 10 - Office of Chief Clerk Tracking System Development. This project will develop a relational database that provides linkages across all types of data entered and utilized within the daily operations of the Chief Clerk's Office. This project is coordinated with the Central Registry Development Project.</p>
<p><b>Strategy 3</b></p>	<p>Provide a unified picture across all regulatory programs of regulated activities and environmental impacts of regulated entities.</p>
<p><b>Action Items</b></p>	<p>Action Item 4 - Central Registry Development Project.</p> <p>Action Item 5 - Federal Clean Air Act Information Management System (FCAA IMS) Project.</p> <p>Action Item 6 - State of Texas Air Reporting System (STARS) Data Conversion Project.</p> <p>Action Item 7 - Watermaster Billing and Fees Feasibility and System Development Project.</p> <p>Action Item 8 - Water Utilities Database System Project (Drinking Water Data Management).</p> <p>Action Item 9 - OWM/OWRM Database Integration Development Project.</p>
<p><b>Strategy 4</b></p>	<p><b>Strategy 4</b> - Provide support for permit processes, aggregating and sharing permit development information, and aggregating and sharing information about permit conditions.</p>
<p><b>Action Items</b></p>	<p>Action Item 5 - Federal Clean Air Act Information Management System (FCAA IMS) Project.</p> <p>Action Item 7 - Watermaster Billing and Fees Feasibility and System Development Project.</p> <p>Action Item 8 - Water Utilities Database System Project (Drinking Water Data Management).</p> <p>Action Item 10 - Office of Chief Clerk Tracking System Development.</p>

## Information Resources Strategic Plan (Continued)

Item	Description
Objective 3	Assure the delivery of safe drinking water to Texas citizens through application of information technology.
Strategy 1	Integrate environmental monitoring data to support understanding of environmental conditions.
Action Items	Action Item 2 - Source Water Assessment and Protection Program Development Project.

Item	Description
Goal 2	<p><b>Enforcement and Compliance Assistance</b></p> <p>To protect public health and the environment by administering enforcement programs that promote voluntary compliance with environmental laws and regulations while providing strict, sure, and just enforcement when environmental laws are violated.</p>
Objective 4	Administer enforcement programs that promote compliance with environmental laws and regulations and provide just enforcement through application of information technology.
Strategy 5	Integrate information about facility compliance history to improve inspections, assistance activities, and penalty assessments.
Action Items	<p>Action Item 8 - Water Utilities Database System Project (Drinking Water Data Management).</p> <p>Action Item 9 - OWM/OWRM Database Integration Development Project.</p> <p>Action Item 11 - Final Consolidated Compliance &amp; Enforcement Database Project. This project will integrate various databases and systems which track compliance and enforcement information on regulated entities. This project is underway and coordinated with the Central Registry Development Project.</p>
Strategy 6	Track and manage agency compliance and enforcement activities.



## Information Resources Strategic Plan (Continued)

Item	Description
<b>Action Items</b>	<p>Action Item 4 - Central Registry Development Project.</p> <p>Action Item 9 - OWM/OWRM Database Integration Development Project.</p> <p>Action Item 10 - Office of Chief Clerk Tracking System Development.</p> <p>Action Item 11 - Final Consolidated Compliance &amp; Enforcement Database Project.</p> <p>Action Item 12 - Brief Bank Upgrade Project. This project is an upgrade of the Brief Bank System software and hardware to assure Y2K compliance and increase functionality (Internet capability, addition of routing function, enhanced scalability) to enable Office of Legal Services staff to manage information and provide service to customers. It will also provide data integration benefits with other divisions throughout the agency and ensure compatibility with future versions of other agency software. This project is included in the Growth and Expansion of IT Infrastructure Project and to begin in FY01.</p>

Item	Description
<b>Goal 3</b>	<p><b>Pollution Cleanup</b></p> <p>To protect public health and the environment by identifying, assessing, and prioritizing contaminated sites, and by assuring timely and cost-effective cleanups, based on good science and current risk factors.</p>
<b>Objective 5</b>	Identify, assess and prioritize contaminated sites and assure cleanups through application of information technology.
<b>Strategy 2</b>	Integrate identification information for regulated entities and establish a "single identifier."
<b>Action Items</b>	Action Item 4 - Central Registry Development Project.

Item	Description
<b>Goal 4</b>	<p><b>Indirect Administration</b></p> <p>To provide the essential infrastructure for central administration, information resources, and other support services required to maintain the agency's operations.</p>
<b>Objective 6</b>	Provide the essential infrastructure required for the delivery of services to TNRCC employees, programs, customers and the public through application of information technology.

## Information Resources Strategic Plan (Continued)

Item	Description
Strategy 2	Integrate identification information for regulated entities and establish a “single identifier.”
Action Items	<p>Action Item 4 - Central Registry Development Project.</p> <p>Action Item 13 - Accounts Receivable Module Project. This project will implement the accounts receivable module and convert current accounts receivable data into the Integrated Financial System (IFS). This project is included in the Growth and Expansion of IT Infrastructure Project. This project is on hold pending implementation of IFS.</p> <p>Action Item 14 - Budget Development Module Project. This project will acquire and implement the budget development module. This project is included in the Growth and Expansion of IT Infrastructure Project.</p> <p>Action Item 15 - Growth and Expansion of IT Infrastructure Project. This project will repair and enhance the agency’s technology infrastructure and provide technology support for other agency projects. This project includes: continuation of replacement and upgrade of servers and routers, capacity planning tools, replacement and upgrades of equipment for the data center, capacity planning, information security tools, and application development tools.</p>



## Information Resources Strategic Plan (Continued)

**Table 2: Information Resources Policies and Practices**

Item	Description
<p><b>IR Priorities</b></p>	<p>The Information Technology (IT) Steering Committee, led by the agency's Deputy Executive Director, consists of agency executive management from each office. The Committee makes policy decisions, sets priorities, allocates resources, and is the ultimate decision-making authority for IT development projects.</p>
<p><b>IR Planning Methodology</b></p>	<p>Information Technology (IT) planning for the agency is performed by the IT Steering Committee, with the support of the IT Work Group. The Steering Committee sets the strategic direction for all IT projects to support the agency's regulatory, environmental, and administrative programs. After the IT Steering committee has identified IT priorities, the IT Work Group which consists of representatives from each office and the Information Resources (IR) Division, develop IT standards, allocates resources for application maintenance, performs research, and makes recommendations to the IT Steering Committee. The IT Work Group and the Information Resources Division work together to improve agency information management through the use of available technologies.</p> <p>The development of an Information Strategy Plan (ISP) in June 1995 was a significant planning initiative which set the stage and direction for TNRCC's IT initiatives. The ISP provided a thorough assessment of the agency's information needs and recommendations for strategic direction. It addressed the need for integrating the data from different programs into a comprehensive picture of the environment in Texas. To achieve this goal, the Information Strategy Plan Design and Implementation project is currently underway, with the development of the Central Registry system as the first phase of this project.</p>
<p><b>Operating System</b></p>	<p><b>Network Operating Systems:</b>            Novell Network Operating System            Unix Operating System (HPUX, AIX)            Microsoft Windows NT Server</p> <p><b>Disk Operating Systems:</b>            Microsoft Windows 95            Microsoft Windows NT Workstation            Unix Operating System (HPUX, AIX)</p>

## Information Resources Strategic Plan (Continued)

Item	Description
<p><b>Development Methodology</b></p>	<p><b>Development Methodology-</b>                      The development methodology in use at TNRCC involves Formal Project management, Information Engineering methodology, Component Based Development (CBD) methodology, and the Sterling Cool:Gen I-CASE tools and associated methodology.</p> <p>The principal behind CBD is the use of existing components or new component creation to develop applications. This development type is used as a part of the Cool:Gen model. As components are developed and certified, they are published to a component catalog. This enables component reuse in subsequent development projects.</p>
<p><b>Software Audit and Management</b></p>	<p>The TNRCC has a procedure in place to perform consolidated Information Technology (IT) purchasing. The procedure requires that the IT Work Group and Information Resources Division approve software purchases. A database is maintained by the Information Resources Division to track the software purchases and licenses for the agency. Currently an IT employee is attending training to become a "Certified Software Manager" to develop processes and procedures to manage the agency's software. Plans are being developed to conduct a semi-annual audit of software utilizing an automated tool to review and monitor installed software. The result of the audit will be reported in the Biennial Operating Plan. (BOP.)</p>
<p><b>Quality Assurance Practices</b></p>	<p>The TNRCC is committed to and has implemented quality assurance practices for the use by Information Technology (IT) projects. Adhering to the Information Resources Management Act, TNRCC's quality assurance practices cover the following areas:</p> <p><b>Planning project development -</b></p> <p>Using DIR's template, all medium and large IT projects complete a project development plan (PDP). Extensive planning feeds information to the PDP.</p> <p><b>Determining the projected benefits of a project -</b></p> <p>Medium and large IT projects are required to conduct qualitative and quantitative justification in order to determine cost savings, cost effectiveness, and performance objectives and measures.</p> <p><b>Developing and implementing management - control processes -</b></p> <p>In 1999 the TNRCC formed a sub-committee of the IT Work Group to review and improve its current project management processes. The committee defined small, medium and large projects. A project process flow was developed for each project size which identified the essential steps, quality assurance review</p>



## Information Resources Strategic Plan (Continued)

Item	Description
	<p>points, and management control points. For example, IT projects are required to put in place a Change Control Board to review and approve/disapprove all changes in scope.</p> <p><b>Projecting the budget for a project -</b></p> <p>During the initiation phase TNRCC requires IT projects to develop cost estimates. Each project is re-estimated at the end of the scope and analysis phase.</p> <p><b>Analyzing the risks of a project -</b></p> <p>IT projects are required to perform risk analysis. Medium and large projects are required to complete DIR's Initial Risk Assessment Questionnaire. Methods promoted by the Institute of Electronic and Electrical Engineers (IEEE) and Software Quality Institute (SQI) are used to identify risks, develop management strategies for each risk and track the implementation and effectiveness of each management strategy.</p> <p><b>Establishing standards by which the effectiveness and efficiency of a project can be evaluated -</b></p> <p>IT standards developed by the IT workgroup include procedures for developing performance objectives and measures for IT projects. Performance objectives and measures are included in the project plan and submitted to the IT Steering Committee for approval of the project.</p> <p><b>Evaluating and reporting on the project after implementation -</b></p> <p>All IT projects are required to perform a post project review. A checklist is used to plan, collect, and analyze post project review information. After analyzing the post project review information a follow-through phase is performed to plan how and when new processes are implemented.</p>
<p><b>E-Government</b></p>	<p>The TNRCC is participating in the <b>SB-974 Task Force</b> initiative. This initiative includes the implementation of the Electronic Framework Project [Texas e-government Portal]. TNRCC will participate in the e-government transaction pilot via the portal. Typical transactions through the portal will require linking to existing systems, new Web-enabled applications, or to interfaces with agency legacy systems.</p> <p>Portal requirements include the use of a consistent user interface for applications, directory services for navigating through the portal, and a security server to secure access to information. The use of digital signatures for certain applications will be supported through the security server or other means recommended by the vendor. The directory server will be used to support secure server</p>

## Information Resources Strategic Plan (Continued)

Item	Description
	<p>certificates for agencies using the portal. Additional functions, such as search engines, access to state business information, mailing lists and online discussion lists will be a part of the portal structure.</p> <p>The portal will have a payment application interface to the Comptroller of Public Accounts (CPA) Treasury Payment System. Specific agency payment activities will automatically be credited to the proper agency and all funds will be directly deposited to the CPA designated bank account. Sufficient information will be transferred from the portal applications for the Comptroller's Office to complete account settlement and reconciliation via the Uniform State Accounting System (USAS).</p> <p>The portal will provide user services, including customer relation management services, to ensure users are able to locate information in the portal. The portal will provide navigational services, mailing lists, bulletin services and other web enabled information services. The vendor monitoring portal operations will provide agency access to reports relating to customer problems. This information will then be used to ensure customer satisfaction. The portal vendor will be responsible for all aspects of maintaining and supporting the portal. The TNRCC will work with the task force to establish policies and procedures to govern the use of the portal.</p> <p><b>Performance Measures:</b></p> <p>The TNRCC believes the portal will provide measurable benefits to citizens in efficiency and effectiveness of their online business with TNRCC. The measurement criteria will be developed in the next six months, to include such measures as time spent conducting business with the TNRCC and time spent by the TNRCC in processing applications and other interactions. Specific baselines for projects eligible for the pilot phase will be developed as part of this project. The Task Force will work with the vendor on finalizing the success criteria to ensure the results can be measured. Measures will be developed to include an accounting of applications accessed through the portal, as well as, efficiency measures related to acquiring and using the data obtained.</p> <p><b>Security:</b></p> <p>The portal, when complete, will provide: secure, authenticated, two-way transactions, secure payment processing, transaction date and time stamp functions, identification of network security breaches and attempted breaches, user confidentiality and privacy, and the issuance and use of digital certificates and signatures. Portal security will include the identification and resolution of fraud and misuse of state property activities. The Department of</p>



## Information Resources Strategic Plan (Continued)

Item	Description
	<p>Information Resources security standards will be met and enforced at all times.</p> <p><b>Time Line:</b></p> <p>The portal will be online with several TNRCC and other state agencies' demonstration applications by mid-July. The TNRCC will evaluate the success of these applications and the portal, then complete a plan for implementing all appropriate agency application and fee processing through the portal by the end of the FY2003, providing that the self funding within the portal strategy is successful. Issues which could pre-empt this schedule are: Legislative action redirecting or changing the priorities of the portal, limited availability of portal application funding, or TNRCC redirection on portal participation.</p>
<p><b>Change Control</b></p>	<p>A project <b>Change Control Board (CCB)</b>, made up of customers and development team members, evaluates proposed modifications to a system. Once the CCB approves the modifications to the system, the project models are updated to reflect the changes. For enterprise-wide applications, all information used to generate the code is stored in models within a central encyclopedia or repository. Standards are in place to maintain project models at different versions based on the phase of the project. Version control functions make it possible for development teams to concurrently support versions of their software in development, test, and production phases. A centralized group is responsible for deploying new releases to the test and production environments. Once the application is deployed and verified in the test environment, applications are then copied to the production environment.</p>
<p><b>Security</b></p>	<p>The TNRCC <b>Information Protection Policy</b> is contained in Agency <b>Operating Policy and Procedure (OPP) 8.07</b>. This policy outlines security requirements as mandated by the Texas Administrative Code (TAC) 201.13(b). The <b>Standards and Guidelines</b> supplement provides more detailed information concerning TNRCC's Information Security Program.</p> <p>The Information Security Sub-work Group (ISSG) serves as the agency's focal point for addressing major information security issues. This group identifies, prioritizes, and researches security issues, and provides recommended solutions to the IT Work Group and IT Steering Committee. They examine new technologies that impact information security and promote information security awareness and training within the agency.</p> <p>An Information Protection Risk Analysis is planned for Fiscal Year 2001.</p>

## Information Resources Strategic Plan (Continued)

Item	Description
<p><b>Geographic Information Systems (GIS)</b></p>	<p>The TNRCC <b>Geographic Information Systems Positional Data Policy</b> is contained in Agency <b>Operating Policy and Procedure (OPP) 8.11</b>. This policy pertains to the collection, management, and use of positional data. The TNRCC <b>Global Positioning System (GPS) Policy, OPP 8.12</b>, outlines the implementation of GPS technology, training, and the role of the TNRCC GIS Steering Committee. The GIS Services Team of the Information Resources Division maintains a web page for Horizontal Accuracy Standards for TNRCC GIS Positional Data, Attribute Standards for TNRCC Geographic Positional Data, and Guidelines for writing TNRCC Spatial Metadata documentation.</p> <p>Coordination of GIS activities within TNRCC is accomplished through the GIS Steering Committee, individual networking of GIS Professionals within the Agency, and a project oversight role of the Information Resources Division, where the GIS Services Team is located. The GIS Steering Committee is made up of representatives from each division within TNRCC that uses GIS technology or has an interest in future implementation. The Committee meets every other month and reports periodically to the TNRCC IT Work Group.</p> <p><b>Texas Geographic Information Framework Resolutions:</b></p> <p><b>Partnership Resolution-</b> The TNRCC has a representative on the Texas Geographic Information Council (TGIC), as well as a representative on the Texas Mapping Advisory Council. A TNRCC representative serves as Chairman of the Technical Advisory Committee for TGIC. There has always been a close coordination between the TNRCC Information Resources Division and Texas GIS activities.</p> <p><b>Base Mapping Resolution-</b> The GIS Services Team and other Program Areas within TNRCC have provided funding and staff resources to support the acquisition of spatial data (Digital Orthophoto Quarter Quads) necessary to support the Strategic Mapping Initiative of Senate Bill One. The GIS Services Team has identified new StratMap Layers and helped justify their requirements, committed to building StratMap layers for the State, and has provided on-going leadership in certification of base map data.</p> <p><b>Data Sharing Resolution-</b>The GIS Services Team has been involved in the development of GIS standards for TNRCC and the State of Texas. It has provided support for statewide initiatives by encouraging personnel to volunteer their time to these efforts and has begun acquiring the software and hardware infrastructure to make online data sharing between agencies a reality. It has supported an open approach to data sharing by having one of the first web sites to serve up spatial data in the State.</p>



## Information Resources Strategic Plan (Continued)

Item	Description
	<p><b>Field Data Collection Resolution</b>-The GIS Services Team has had significant influence in the Geographic Information Framework for Texas and fully supports its goals. Processes and procedures related to data collection that were developed and defined in the OPP 8.11 and 8.12 are reflected in the recently adopted GIS Rules by TGIC.</p> <p><b>Outreach and Education Resolution</b>-TNRCC conducted the largest GIS Day program of any agency in the State. GIS Professionals throughout the Agency have been involved in speaking engagements, training, and various other national and international programs related to GIS. The GPS training program at TNRCC, for example, has been responsible for training many people in other state and regional governmental agencies as well as helping to train environmental monitors in GPS for the Mexican Government.</p>
<p><b>Disaster Recovery/Business Continuity Planning</b></p>	<p>The TNRCC currently has a Supplemental Agreement to the Texas Department of Information Resources (DIR) Master Contract with <b>Northrop Grumman Technical Services Inc.</b> (NGTSI), for disaster recovery service at the <b>West Texas Disaster and Operations Center (WTDROC)</b>. NGTSI along with its sub-contractor, <b>SunGard Inc.</b>, will provide the facility and hardware for TNRCC in the event of a declared disaster emergency. The supplemental agreement contract was signed in August 1999. A consolidated agency disaster recovery plan is being developed to support critical mission systems recovery.</p>
<p><b>Resource Use</b></p>	<p>The TNRCC policy concerning <b>voice resources</b> is contained in the <b>Telephone Services Policy, OPP 3.08</b>. This document establishes agency policies and procedures regarding the acquisition and use of telephone services.</p> <p>The TNRCC policy concerning <b>data resources</b> is contained in the <b>Information Protection Policy, OPP 08.07</b>. This policy's purpose is to inform TNRCC staff members about agency information security and how to protect the information entrusted to their care.</p> <p>The agency has no established policy regarding <b>video conferencing</b>.</p>
<p><b>Contract/Consultant</b></p>	<p>The TNRCC policies regarding the <b>Acquisition of Goods and Services</b> are contained in Agency <b>Operating Policy and Procedures (OPP) 2.0 through 2.09</b>. The purpose of these policies are to establish TNRCC procedures for the procurement of goods and services.</p> <p>The TNRCC <b>Contract Monitoring Policy</b> is contained in <b>OPP 3.12</b>. The purpose of this policy is to ensure that all federal and</p>

## Information Resources Strategic Plan (Continued)

Item	Description
	<p>state grants and contracts are developed, processed, tracked, monitored, and evaluated consistently and expeditiously.</p> <p>The TNRCC <b>Acquisition of Hardware and Software Policy</b> is contained in <b>OPP 8.02</b>. The purpose of this policy is to ensure that TNRCC staff purchase hardware and software in accordance with agency product standards, Department of Information Resources (DIR) reporting requirements, and agency and State of Texas (General Services Commission and Comptroller) purchasing rules.</p> <p>The specific agency procedures related to information technology service contracts are contained in the TNRCC <b>Administrative Service Coordinator (ASC) Manual</b>. This manual provides step-by-step instructions on how to acquire information technology service contracts within the agency. Each IT contract has an assigned project manager, who directs, monitors and manages the contract.</p>
<p><b>Information Sharing</b></p>	<p><b>Information Sharing (General)</b></p> <p>TNRCC primarily shares information through its public web site. This site has over 10,000 individual public web pages. This information includes forms and guidance documents, data from TNRCC databases, and copies of the TNRCC Rules. On an average weekday, it provides information to over 4,000 external users. TNRCC also shares information as part of grant obligations to the Environmental Protection Agency (EPA), under memoranda of understanding with other state agencies, through commercial information services, as part of cooperative agreements under the auspices of the Texas Geographic Information Council (TGIC), through the news media, and by reports and extracts from agency databases provided to the public in accordance with the Public Information Act.</p> <p><b>Information Sharing (GIS)</b></p> <p>The GIS Services Team of the Information Resources Division openly distributes electronic spatial information between other governmental entities and the public provided it has been certified for inclusion into the GIS Services Team's GIS Certified Library and that it is not proprietary or confidential in nature. The GIS Services Team also coordinates and participates in the development of spatial information by other governmental entities that is of benefit to the TNRCC Mission or the State of Texas. The GIS Services Team provides this spatial information via the Team's web site for free download or for use internally via the GIS Server. Mapping services are available to anyone who does not have the ability to download or use the information electronically.</p>



## Information Resources Strategic Plan (Continued)

Item	Description
<p><b>Training and Continuing Education</b></p>	<p>The TNRCC Information Resources Division's training and continuing education plan has two components. The first component is professional and career development. The second component is maintaining and enhancing a skill level for employees which ensures the maintenance of agency legacy computer systems and the development of new systems based on emerging technologies. By providing training opportunities based on both these components, the TNRCC enables the Information Technology (IT) professional to fulfill classification-specific requirements.</p> <p>Professional, career development, and new technology training are available to employees using three training delivery methods. The TNRCC Training Academy provides training onsite in the areas of business practices, project management, personnel management, and staff development courses. In cooperation with the Information Resources Division, the Training Academy facilitated the implementation of a computer-based training system for TNRCC IT professionals on their desktops. Offsite training is available to staff members based on a prioritized need.</p> <p>Information Resources Division management works with the TNRCC Training Academy to periodically review and update the classification-specific requirements. The Training Academy maintains a database of all training provided through the Training Academy to IT staff.</p>
<p><b>Data Center Operations</b></p>	<p>TNRCC has not requested any waivers for the use of the <b>West Texas Data Center's</b> services. Our intent is to consider or offer the WTDROC's primary vendor an opportunity to bid on any of the information technology projects undertaken by TNRCC. This will include accepting and evaluating offers by the WTDROC for operational services when we need to procure any additional servers or if we examine the potential of outsourcing portions of our current operations. In addition, we will explore opportunities to utilize any service bureau type offerings presented by the Center, e.g., human resource information systems, financial systems, etc. TNRCC also anticipates actively participating in the efforts of the WTDROC users group to establish and refine the technical architecture and services offered to potential customers, like ourselves, that operate in non-mainframe environments.</p>

## Information Resources Strategic Plan (Continued)

**Table 3: Agency Platforms, Systems, and Telecommunications**

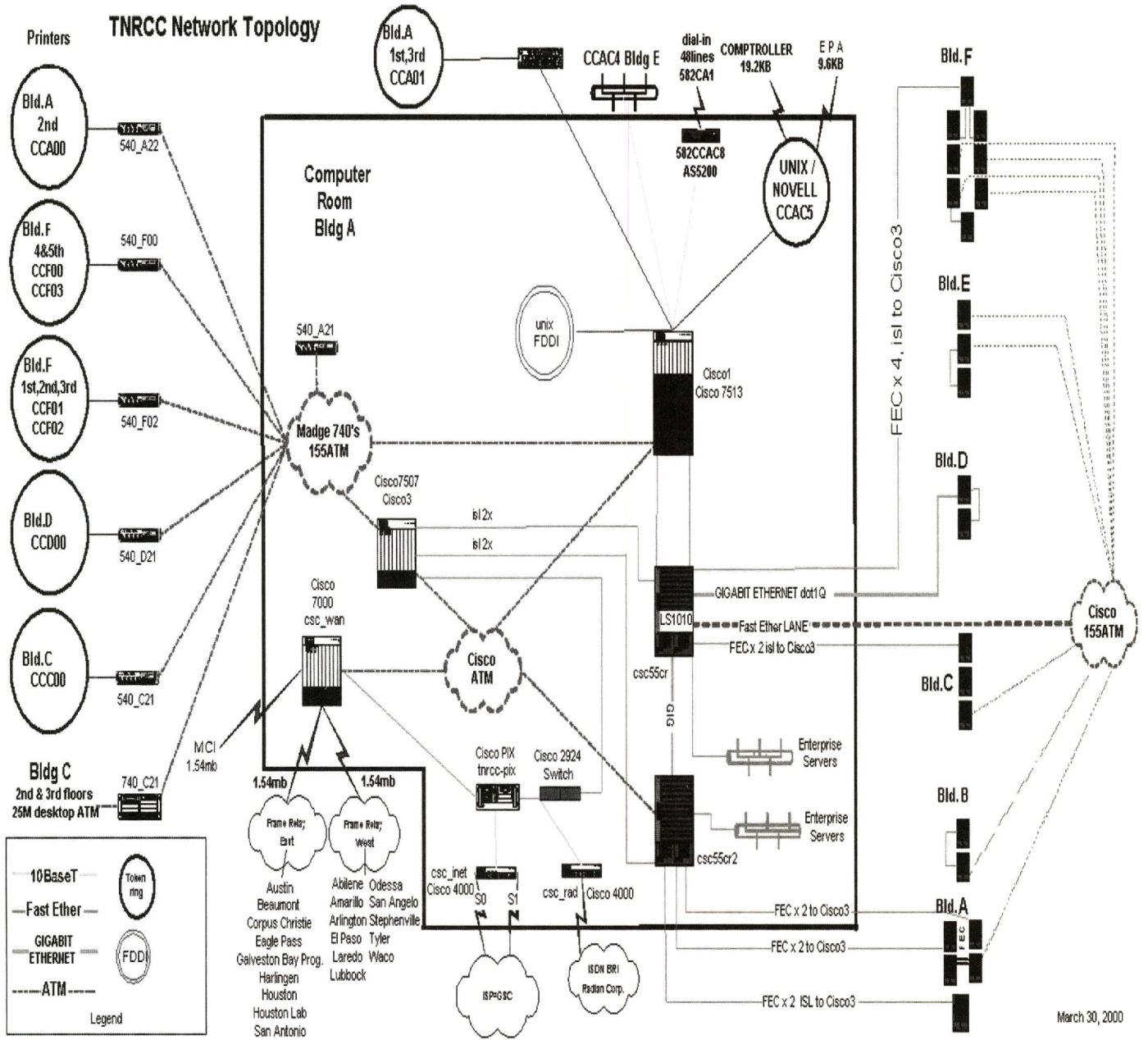
Category	Type	Operating System	Database Management System	Capacity/Size/ Count	Comments/ Descriptive Information
Mainframe	None	None	None	None	N/A
Minicomputer	HP	HPUX	Oracle	SPECrate_int95 935 SPECrate_fp95 610	6-PA-8000 processors @240 MHz
	IBM	AIX	None	SPECrate_int95 485 SPECrate_fp95 364	Model H50 has 4 Power PC 604e t processors @332 MHz
Network					Current Network Topology Map Attached
LAN Servers (Central)	Intel Based PC Architecture	Novell 4.x	Paradox Access	56	Approx. 75% of databases are Paradox 25% of databases are Access
	HP	HPUX	Oracle	27	Title V, McAfee, WUD
	IBM	AIX	None	5	NISMaster,NFS,TimeX,ADSM
LAN Servers (Remote)	Intel Based PC Architecture	Novell 4.x	Paradox	20	
	IBM	AIX	None	1	LIMS
	Siemens	SINIX	Ingres	12	TRACS
	HP	HPUX	Ingres	20	TRACS/LEADS
	HP PA RISC	HPUX	Ingres	94	Developer's have Ingres.
	IBM RS 6000	AIX	None	35	
LAN Client/Workstations (Central)	Intel Based PC Architecture	Windows 95	Paradox	2500	
LANClient/Workstations (Remote)	Intel Based PC Architecture	Windows 95	Paradox	985	
WAN Servers	Mail Servers Novell 4.x	GroupWise	N/A	9	
	Other	Novell, NT	N/A	7	WINS,PDC,DHCP,BDC
	WEB	HPUX	Ingres/Oracle	5	WWW,HOME,DSR, SAPPHIRE,E-MAIL3
	DNS	HPUX	None	3	IRGATE,IRGATE2,DSR
	Listserver	NT	None	1	
Stand Alone PC Workstations	Intel Based PC Architecture	Windows 95	Paradox	30	



## Information Resources Strategic Plan (Continued)

<b>Internet Service Provider (ISP)</b>	<b>General Services Commission</b>	<b>N/A</b>	
<b>Shared Network</b>	<b>General Services Commission</b>		

# Information Resources Strategic Plan (Continued)





## Information Resources Strategic Plan (Continued)

**Table 4: Agency Database**

<b>Database Name</b>	<b>Cost Recovery</b>
<b>Database Description</b>	Cost and Time Data, by budget category, for work done on grant and non-grant sites; reports sent to EPA
<b>Database System</b>	Paradox/DOS
<b>Estimated Physical Storage Requirements</b>	3.7 Gb
<b>GIS Data Classification</b>	No
<b>Sharing</b>	ILP, ETS, Labor Distribution, USAS, Voluntary Clean Up Program
<b>Future</b>	No major changes anticipated, other than potential conversion to Oracle from Paradox/DOS.

<b>Database Name</b>	<b>Emergency Response System</b>
<b>Database Description</b>	Record of all reported spills and many air emissions
<b>Database System</b>	Paradox/DOS
<b>Estimated Physical Storage Requirements</b>	65 Mb
<b>GIS Data Classification</b>	No
<b>Sharing</b>	Texas Dept. of Health, Railroad Commission, General Land Office, Environmental Protection Agency
<b>Future</b>	Is to be replaced by an Oracle database in conjunction with the Final Consolidated Compliance and Enforcement Database development project.

<b>Database Name</b>	<b>TNRCC Regulatory and Compliance System (TRACS)</b>
<b>Database Description</b>	Tracking of regulatory and compliance information for the Waste Management and Water Resource Management areas of the TNRCC. Functionality also includes billing and reporting.
<b>Database System</b>	Ingres
<b>Estimated Physical Storage Requirements</b>	22 Gb
<b>GIS Data Classification</b>	Some lat/long data available
<b>Sharing</b>	No
<b>Future</b>	The future of TRACS is currently being evaluated. The recommendations of the Information Strategy Plan Design and Implementation (ISPDI) process will address its future.

## Information Resources Strategic Plan (Continued)

<b>Database Name</b>	<b>Prophecy - Accounts Receivable</b>
<b>Database Description</b>	Supports billing, cash receipts and receivables functions in Accounting
<b>Database System</b>	Ingres ABF (package software)
<b>Estimated Physical Storage Requirements</b>	16 Gb
<b>GIS Data Classification</b>	None
<b>Sharing</b>	A/R data are manually entered into USAS.
<b>Future</b>	Install upgrade releases from the vendor when available. Planned enhancements include a credit card interface.

<b>Database Name</b>	<b>Watermasters-Assessment &amp; Billing via Water Rights Analysis</b>
<b>Database Description</b>	<b>Water Rights</b> ( historical migration from early 1900's to current day), water usage, assessment and billing records.
<b>Database System</b>	PC/Focus (DOS based)
<b>Estimated Physical Storage Requirements</b>	50 Mb
<b>GIS Data Classification</b>	No
<b>Sharing</b>	No
<b>Future</b>	This database to be replaced by a COOL-Gen/Oracle project co-sponsored by Water Resource Management and Field Operations.

<b>Database Name</b>	<b>Point Source Database (PSDB)</b>
<b>Database Description</b>	Centralized repository for point source information used by several application systems.
<b>Database System</b>	Oracle
<b>Estimated Physical Storage Requirements</b>	2 gig
<b>GIS Data Classification</b>	This database does contain information usable in a statewide GIS. Specifically, source and perm level latitude/longitude.
<b>Sharing</b>	Under an EPA grant, five air local programs in Houston, Arlington, and El Paso perform investigations within their jurisdictions and enter investigation data into the PSDB.
<b>Future</b>	A rehost to an HP platform is planned.



## Information Resources Strategic Plan (Continued)

<b>Database Name</b>	<b>Title V (TITV)</b>
<b>Database Description</b>	Federal Clean Air Act permit tracking system
<b>Database System</b>	Oracle
<b>Estimated Physical Storage Requirements</b>	3 gig
<b>GIS Data Classification</b>	Some location data is available.
<b>Sharing</b>	No
<b>Future</b>	Ongoing maintenance enhancements are planned, including possible revisions due to EPA Part 70.

## Information Resources Strategic Plan (Continued)

**Table 5: Agency Applications**

<b>Application Name</b>	<b>Cost Recovery</b>
Application Type	Financial System, Research
Application Description	Provides cost and time reports for EPA, by budget category, for work done on grant and non-grant sites.
Database System	Paradox
Development Language	PAL
Sharing	ILP, ETS, Labor Distribution, USAS, Voluntary Clean Up Program
Future	Will be migrated/re-engineered in an Oracle Database.

<b>Application Name</b>	<b>Emergency Response System</b>
Application Type	Spill Reporting, Research
Application Description	Store and retrieve information regarding accidental or unscheduled release of pollutants from a permitted source which exceeds the terms of the permit(all reported spills and air emissions.)
Database System	Paradox DOS
Development Language	Paradox DOS with INFORMS front end
Sharing	Texas Dept. of Health, Railroad Commission, General Land Office, Environmental Protection Agency.
Future	Will be migrated/re-engineered in an Oracle Database.

<b>Application Name</b>	<b>Employee Time System (ETS)</b>
Application Type	Human Resources
Application Description	Time accounting used to feed the Labor Distribution System and administer the agency's leave accrual and use.
Database System	APPX DBMS using standard UNIX IO files
Development Language	Proprietary internal language - Integrated Language Facility (ILF)
Sharing	None



## Information Resources Strategic Plan (Continued)

<b>Application Name</b>	<b>Employee Time System (ETS)</b>
Future	TNRCC is currently evaluating a replacement of the ETS. Modifications to the current system are ongoing to enhance the efficiency of the system. APPX ODBC add-on will be implemented to allow ad hoc query of ETS data. Possible modification to ETS to be accessible via the Internet/Intranet or adding a GUI interface. May convert from native UNIX IO files to an Oracle database back end.

<b>Application Name</b>	<b>Legislative Contacts (LATIS/Sunset)</b>
Application Type	Web Centric Client Server
Application Description	A system for recording contacts with legislative members or associated agencies. It represents a module of the larger Legislative Analysis Tracking Information System (LATIS). The system will accommodate phone calls, FAXes, e-mails, meetings (with return phone number), and letters. Reports may be generated with the system based on member, unit, employee, issue, date of contact, or elapsed time with no response.
Database System	Oracle 7.3
Development Language	Java 1.1.6
Sharing	None
Future	For use by agency staff in recording all contact with Legislative members or agencies following the Sunset review.

<b>Application Name</b>	<b>Prophecy - Accounts Receivable</b>
Application Type	Client Server Financial System
Application Description	Supports billing, cash receipts and account receivables functions in the Accounting Section.
Database System	Ingres
Development Language	Ingres ABF (package software)
Sharing	A/R data are manually entered into USAS.
Future	Install upgrade releases from the vendor when available. Planned enhancements include a credit card interface.

<b>Application Name</b>	<b>Point Source Database (PSDB)</b>
Application Type	Regulatory - Permitting / Enforcement / Compliance, Research

## Information Resources Strategic Plan (Continued)

<b>Application Name</b>	<b>Point Source Database (PSDB)</b>
Application Description	Centralized repository for point source information used by several application systems.
Database System	Oracle
Development Language	MicroFocus COBOL, Unix Korn Shell, SQL
Sharing	Data is extracted and reported to the National Emissions Data System (NEDS) and the Compliance Data System(CDS) along with the EPA.
Future	Migration to HP UNIX.

<b>Application Name</b>	<b>TNRCC Regulatory and Compliance System (TRACS)</b>
Application Type	Regulatory - Permitting / Registration, Research
Application Description	Petroleum Storage Tank and Industrial Hazardous Waste registrations, Surface Water Quality Monitoring, Water Quality and Waste Water Permitting/Reporting. This includes facility and owner transfers, fee assessments, billing and reporting.
Database System	Ingres
Development Language	Ingres Windows 4GL, Ingres Report Writer, C, Natural Language
Sharing	Read only access is also provided to Fiscal, Responsible Party Remediation, and Enforcement Sections, as well as, all 16 regional offices.
Future	The future of TRACS is currently being evaluated. The recommendations of the Information Strategy Plan Design and Implementation process will address its future.

<b>Application Name</b>	<b>Title V (TITV)</b>
Application Type	Permitting



## Information Resources Strategic Plan (Continued)

<b>Application Name</b>	<b>Title V (TITV)</b>
Application Description	The FCAA Information Management System is a computerized system that supports the TNRCC implementation of the <b>Federal Operating Permits Program (Title V)</b> mandated by the Federal Clean Air Act Amendments of 1990. The program will codify all applicable state and federal air pollution requirements for a site into a single operating permit. The system will provide permit information to the public, EPA, local air pollution programs, and others. Additional functionality or modifications may be required pending the outcome of the EPA's Part 70 Revisions to the Federal Clean Air Act.
Database System	Oracle
Development Language	COOL:Gen
Sharing	
Future	Ongoing maintenance enhancements are planned, including possible revisions due to EPA Part 70.

<b>Application Name</b>	<b>Watermaster Water Accounting &amp; Assessment Billing</b>
Application Type	Regulatory / Permitting
Application Description	Maintains water accounts and owners, tracks water usage, supports assessment fee billing; uses/maintains detailed water rights to support its primary functions.
Database System	PC/Focus
Development Language	PC/Focus
Sharing	
Future	Is to be replaced by a Cool:Gen/Oracle development project co-sponsored by Office of Permitting & Office of Compliance & Enforcement.

## Information Resources Strategic Plan (Continued)

**Table 6: Interagency Data Needs**

<p><b>List</b></p>	<p>There is a lot of information held by other state agencies that would be of use to the TNRCC. This information includes but is not limited to the following:</p> <p>Acreage farmed and pesticide use data - Texas Department of Agriculture</p> <p>Used oil disposal, oil &amp; gas drilling information - Texas Railroad Commission</p> <p>Employment by location and industry type - Texas Workforce Commission</p> <p>Travel demand modeling information - Texas Department of Transportation</p> <p>TNRCC's experience in dealing with other state agencies has been that they are always willing to try to supply our agency the information we request. This data is available to TNRCC, but there are often issues with quality, precision, timeliness or format.</p>
<p><b>Obstacles</b></p>	<p>Obstacles -</p> <p>It is difficult to find out what data other agencies collect.</p> <p>The agencies collect the data at a level of quality that is required for their needs, but this may not be sufficient for the needs of TNRCC.</p>
<p><b>Needed Assistance</b></p>	<p>Needed Assistance -</p> <p>It would be helpful if an index of data collected by all state agencies is developed and maintained.</p> <p>It would be helpful if state agencies could easily share resources (money, capital authorization, and staff members) to conduct joint data collection activities. For example, the Railroad Commission may need to collect only certain data on drilling activities while the TNRCC may need some additional information. Due to resource constraints, the Railroad Commission may not be able to collect that data. If the TNRCC could easily "pay" for that information, it would be easier to minimize the duplication of data collection activities.</p>





