

Executive Summary – Enforcement Matter – Case No. 63776
ETC Texas Pipeline, Ltd.
RN100225796
Docket No. 2023-1241-AIR-E

Order Type:

Findings Agreed Order

Findings Order Justification:

Unauthorized emissions which are excessive emissions events.

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Hemphill County Compressor Station, located approximately 15.8 miles northeast of the U.S. Highway 83 and U.S. Highway 60 intersection and 0.8 mile south of U.S. Highway 60 near Canadian, Hemphill County

Type of Operation:

Natural gas transmission facility

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Past-Due Fees: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: September 5, 2025

Comments Received: No

Penalty Information

Total Penalty Assessed: \$18,750

Total Paid to General Revenue: \$18,750

Total Due to General Revenue: \$0

Payment Plan: N/A

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Unclassified

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: January 2021

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: November 1, 2022 through January 6, 2023

Date(s) of NOE(s): January 9, 2023

Executive Summary – Enforcement Matter – Case No. 63776
ETC Texas Pipeline, Ltd.
RN100225796
Docket No. 2023-1241-AIR-E

Violation Information

Failed to prevent unauthorized emissions. The emissions event was determined to be an excessive emissions event [30 TEX. ADMIN. CODE §§ 106.6(b) and 111.111(a)(7)(A), Permit by Rule Registration No. 87096, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

On August 3, 2022, the Respondent ceased operating the compressor station and evaluated control options such as installing a control device (a flare and/or a vapor recovery unit) on the condensate tanks to address the excessive emissions event that began on August 3, 2022 (Incident No. 384662).

Technical Requirements:

N/A

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Michael Wilkins, Enforcement Division, Enforcement Team 2, MC R-03, (325) 698-6134; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

Respondent: Charles Tucker, Manager Operations, ETC Texas Pipeline, Ltd., 10975 Exhibition Road, Canadian, Texas 79014
David M. Minielly, Vice President of Operations, ETC Texas Pipeline, Ltd., 10975 Exhibition Road, Canadian, Texas 79014

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	17-Jan-2023	Screening	8-Mar-2023	EPA Due	
	PCW	27-Jun-2025				

RESPONDENT/FACILITY INFORMATION

Respondent	ETC Texas Pipeline, Ltd.				
Reg. Ent. Ref. No.	RN100225796				
Facility/Site Region	1-Amarillo	Major/Minor Source	Minor		

CASE INFORMATION

Enf./Case ID No.	63776	No. of Violations	1
Docket No.	2023-1241-AIR-E	Order Type	Findings
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Michael Wilkins
		EC's Team	Enforcement Team 2
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$25,000
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History	0.0%	Adjustment	Subtotals 2, 3, & 7	\$0
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Notes No adjustment for Compliance History.

Culpability	No	0.0%	Enhancement	Subtotal 4	\$0
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Notes The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	-\$6,250
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts \$0
Estimated Cost of Compliance \$10,000
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$18,750
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount	\$18,750
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$18,750
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DEFERRAL	0.0%	Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes

No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$18,750
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Screening Date	8-Mar-2023	Docket No.	2023-1241-AIR-E	PCW
Respondent	ETC Texas Pipeline, Ltd.			<i>Policy Revision 5 (January 28, 2021)</i>
Case ID No.	63776			<i>PCW Revision February 11, 2021</i>
Reg. Ent. Reference No.	RN100225796			
Media	Air			
Enf. Coordinator	Michael Wilkins			

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 0%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

No adjustment for Compliance History.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 0%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 0%

Screening Date 8-Mar-2023 Respondent ETC Texas Pipeline, Ltd. Case ID No. 63776 Reg. Ent. Reference No. RN100225796 Media Air Enf. Coordinator Michael Wilkins	Docket No. 2023-1241-AIR-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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Violation Number	1		
Rule Cite(s)	30 Tex. Admin. Code §§ 106.6(b) and 111.111(a)(7)(A), Permit by Rule Registration No. 87096, and Tex. Health & Safety Code § 382.085(b)		
Violation Description	Failed to prevent unauthorized emissions. Specifically, the Respondent experienced 45 to 80 percent opacity and released 772.71 pounds ("lbs") of carbon monoxide ("CO"), 387.37 lbs of nitrogen oxides ("NOx"), and 13,314.65 lbs of volatile organic compounds ("VOC") from two sources with Emissions Point Numbers ("EPNs") and two sources without EPNs as shown in the attached table, during an emissions event (Incident No. 384662) that began on August 3, 2022 and lasted 25 hours and ten minutes. The emissions event was determined to be an excessive emissions event.		

Base Penalty	\$25,000
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>> Environmental, Property and Human Health Matrix

OR	Release	Harm			
		Major	Moderate	Minor	
	Actual	x			
	Potential				
					Percent 50.0%

>> Programmatic Matrix

Matrix Notes	Falsification	Major	Moderate	Minor	
					Percent 0.0%

	Human health or the environment has been exposed to pollutants which exceed levels that are protective of human health or environmental receptors as a result of this violation.	
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Adjustment	\$12,500
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	\$12,500
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Violation Events

Number of Violation Events	2		2	Number of violation days
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	daily	x	
	weekly		
	monthly		
	quarterly		
	semiannual		
	annual		
	single event		

Violation Base Penalty	\$25,000
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Two daily events are recommended.	
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Good Faith Efforts to Comply

	25.0%		
Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer			
Extraordinary			
Ordinary	x		
N/A			
Notes	The Respondent completed the corrective measures on August 3, 2022, prior to the Notice of Enforcement dated January 9, 2023.		

Violation Subtotal	\$18,750
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Economic Benefit (EB) for this violation

Estimated EB Amount	\$0
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Statutory Limit Test

Violation Final Penalty Total	\$18,750
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This violation Final Assessed Penalty (adjusted for limits)	\$18,750
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Economic Benefit Worksheet

Respondent ETC Texas Pipeline, Ltd.
Case ID No. 63776
Reg. Ent. Reference No. RN100225796
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	3-Aug-2022	3-Aug-2022	0.00	\$0	n/a	\$0
Notes for DELAYED costs Estimated cost to cease operating the compressor station and to evaluate control options such as installing a control device (a flare and/or a vapor recovery unit) on the condensate tanks to address the excessive emissions event that began on August 3, 2022 (Incident No. 384662). The Date Required is the date the emissions event began and the Final Date is the date of compliance.							

Avoided Costs

ANNUALIZE avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							

Approx. Cost of Compliance \$10,000
TOTAL \$0

ETC Texas Pipeline, Ltd.
Docket No. 2023-1241-AIR-E, Case No. 63776

Emissions Event Table (Incident No. 384662)

Source Name	EPN	Pollutants (lbs)			
		CO	Opacity (%)	NOx	VOC
Dehy Produced Water Tank	N/A	94.72	80.00	47.48	1,666.50
Frac Tank	N/A	227.59	80.00	114.08	4,003.95
TANK-1/Condensate Tank	TANK-1	225.20	45.00	112.89	3,822.10
TANK-2/Condensate Tank	TANK-2	225.20	45.00	112.89	3,822.10
	Totals	772.71		387.34	13,314.65



Compliance History Report

Compliance History Report for CN601587652, RN100225796, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator: CN601587652, ETC Texas Pipeline, Ltd. **Classification:** SATISFACTORY **Rating:** 1.12

Regulated Entity: RN100225796, HEMPHILL COUNTY COMPRESSOR STATION 2 **Classification:** UNCLASSIFIED **Rating:** -----

Complexity Points: 2 **Repeat Violator:** NO

CH Group: 13 - Pipeline Transportation of Natural Gas, Refined Petroleum, and All Other Products

Location: FROM CANADIAN GO 2 MI N ON HWY 83 GO E ON FM 2266 9.4 MI THEN 2.2 MI N STATION APPROX 8 MI E OF CANADIAN HEMPHILL, TX, HEMPHILL COUNTY

TCEQ Region: REGION 01 - AMARILLO

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER HL0033U **AIR NEW SOURCE PERMITS** ACCOUNT NUMBER HL0033U

AIR NEW SOURCE PERMITS REGISTRATION 87096 **AIR NEW SOURCE PERMITS** AFS NUM 4821100034

AIR EMISSIONS INVENTORY ACCOUNT NUMBER HL0033U

Compliance History Period: September 01, 2019 to August 31, 2024 **Rating Year:** 2024 **Rating Date:** 09/01/2024

Date Compliance History Report Prepared: June 26, 2025

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: June 26, 2020 to June 26, 2025

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Michael Wilkins **Phone:** (325) 698-6134

Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

N/A

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

Item 1 April 13, 2023 (1889088)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

N/A

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
ETC TEXAS PIPELINE, LTD.
RN100225796

§ BEFORE THE
§ TEXAS COMMISSION ON
§ ENVIRONMENTAL QUALITY
§

AGREED ORDER DOCKET NO. 2023-1241-AIR-E

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding ETC Texas Pipeline, Ltd. (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this Order to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. The Respondent owned and operated a natural gas transmission facility located approximately 15.8 miles northeast of the United States Highway 83 and United States Highway 60 intersection and 0.8 mile south of United States Highway 60 near Canadian, Hemphill County, Texas (the "Site"). The Site consists or consisted of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
2. During a record review for the Site conducted from November 1, 2022 through January 6, 2023, an investigator documented that the Respondent experienced 45 to 80 percent ("%") opacity and released 772.71 pounds ("lbs") of carbon monoxide ("CO"), 387.37 lbs of nitrogen oxides ("NOx"), and 13,314.65 lbs of volatile organic compounds ("VOC") from two sources with Emissions Point Numbers ("EPNs") and two sources without EPNs as shown in the table below, during an emissions event (Incident No. 384662) that began on August 3, 2022 and lasted 25 hours and ten minutes. TCEQ staff determined that the emissions event was an excessive emissions event.

Source Name	EPN	Pollutants (lbs)			
		CO	Opacity (%)	NOx	VOC
Dehy Produced Water Tank	N/A	94.72	80.00	47.48	1,666.50
Frac Tank	N/A	227.59	80.00	114.08	4,003.95
TANK-1/Condensate Tank	TANK-1	225.20	45.00	112.89	3,822.10
TANK-2/Condensate Tank	TANK-2	225.20	45.00	112.89	3,822.10
	Totals	772.71		387.34	13,314.65

3. The Executive Director recognizes that on August 3, 2022, the Respondent ceased operating the compressor station and evaluated control options such as installing a control device (a flare and/or a vapor recovery unit) on the condensate tanks to address the excessive emissions event that began on August 3, 2022 (Incident No. 384662).

II. CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact No. 1, the Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382 and the rules of the TCEQ.
2. As evidenced by Finding of Fact No. 2, the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 106.6(b) and 111.111(a)(7)(A), Permit by Rule Registration No. 87096, and TEX. HEALTH & SAFETY CODE § 382.085(b). The emissions event was determined to be an excessive emissions event.
3. Pursuant to TEX. WATER CODE § 7.051, the TCEQ has the authority to assess an administrative penalty against the Respondent for violations of state statutes within the TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
4. An administrative penalty in the amount of \$18,750 is justified by the facts recited in this Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent paid the \$18,750 penalty.

III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed a penalty as set forth in Conclusion of Law No. 4 for violations of state statutes and rules of the TCEQ. The payment of this penalty and the Respondent's compliance with all the requirements set forth in this Order resolve only the matters set forth by this Order in this action. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for violations that are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: ETC Texas Pipeline, Ltd., Docket No. 2023-1241-AIR-E" to:

Financial Administration Division, Revenue Operations Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. All relief not expressly granted in this Order is denied.
3. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent.
4. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Enforcement Division at the address listed above.
5. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms in this Order.
6. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
7. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
8. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.

9. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission


For the Executive Director

Date
10/11/2025

Date

I, the undersigned, have read and understand the attached Order. I am authorized to agree to the attached Order, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this Order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the OAG for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the OAG of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.



Signature

7/08/2025

Date

David H. Minelly

Name (Printed or typed)
Authorized Representative of
ETC Texas Pipeline, Ltd.

VP operations

Title

☐ If mailing address has changed, please check this box and provide the new address below:

Instructions: Send the original, signed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Ordering Provision 1 of this Order.