



Beta Offshore, LLC
111 W Ocean Blvd., Suite 1240
Long Beach, CA 90802
(562) 628 1526

January 19, 2024

Via E-mail to Dustin.Hubbard@dot.gov

Dustin Hubbard
Director, Western Region
Pipeline and Hazardous Materials Safety Administration
1230 W. Dakota Ave., Suite 110
Lakewood, CO 80228

**RE: CPF No. 5-2023-042-NOPV
Beta Operating Company, LLC
Request for Informal Conference
Request for Hearing and Preliminary Statement of Issues**

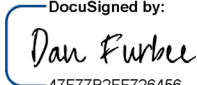
Dear Mr. Hubbard,

As described in the attached, Beta Operating Company, LLC (Beta) respectfully requests an informal conference to attempt to resolve the above-referenced Notice of Probable Violation (NOPV) issued on December 26, 2023.

To preserve its rights, Beta also submits the attached Request for Hearing and a Preliminary Statement of Issues. Beta hopes that that hearing will be unnecessary, and that the parties can resolve this matter informally.

We will reach out to you regarding scheduling an informal conference. In the meantime, please contact me if you have any questions.

Sincerely,

DocuSigned by:

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Dan Furbee
Senior Vice President and Chief Operating Officer
Amplify Energy Corp.

Cc: Jason Dunphy (PHMSA)
Marion Garcia (PHMSA)

**U.S. DEPARTMENT OF TRANSPORTATION
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION
OFFICE OF PIPELINE SAFETY**

In the Matter of
Beta Operating Company, LLC,

Respondent.

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)
) **CPF No. 5-2023-042-NOPV**
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**REQUEST FOR INFORMAL CONFERENCE, REQUEST FOR HEARING,
PRELIMINARY STATEMENT OF ISSUES**

I. Request for Informal Conference

Pursuant to 49 U.S.C. § 60117(b)(1)(B), Beta Operating Company, LLC (Beta, or the Company) respectfully requests an informal conference to discuss settlement of the above-referenced Notice of Probable Violation (NOPV). Beta is hopeful that through further discussion of the relevant facts and circumstances this allegation can be resolved without a hearing. In order to preserve its rights, Beta also submits a Request for Hearing and Preliminary Statement of Issues.

This NOPV and PHMSA's companion Notice of Amendment (NOA) in CPF No. 5-2023-041-NOA relate to Beta's Control Room Management (CRM) program. Beta is currently in settlement talks with PHMSA regarding another matter (5-2023-011-NOPV) which includes several CRM items. Additionally, Beta has recently prepared a substantially revised CRM program that includes many improvements, including changes that are responsive to issues raised in 5-2023-011-NOPV and other additional improvements responding to the 2022 CRM PHMSA audit that led to the NOPV and NOA.

Beta seeks to avoid a scenario where Beta and PHMSA are in simultaneous, separate CRM-related discussions in three different matters. For purposes of efficiency and the avoidance of substantive confusion that is likely to result from the same program being addressed separately in different matters, Beta respectfully requests an informal conference that includes all three matters listed above. Pursuant to 49 U.S.C. § 60117(b)(1)(A), Beta seeks a combined settlement that addresses all items in CPF 5-2023-011-NOPV, CPF 5-2023-041-NOA and CPF No. 5-2023-042-NOPV.

Beta will respond to CPF 5-2023-041-NOA under separate cover.

II. Request for Hearing

Pursuant to 49 C.F.R. § 190.211(b) Beta respectfully requests an in-person hearing to contest the allegations in the above-referenced NOPV to the extent one becomes necessary in this proceeding. If a hearing is held, Beta will be represented by counsel at the hearing. To allow the parties time to discuss settlement, Beta requests that the Presiding Official defer scheduling of a hearing in this matter.

III. Preliminary Statement of Issues

Pursuant to 49 C.F.R. § 190.211(b), Beta identifies the following issues for hearing, to the extent one becomes necessary in this proceeding:

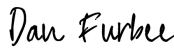
- (1) the factual and legal bases for each of the alleged violations, and
- (2) the factual and legal bases of the proposed compliance order, as well as its reasonableness.

Beta reserves the right to supplement this preliminary statement of issues in response to any additional information or arguments from PHMSA.

Respectfully submitted this 19th day of January 2024.

Beta Operating Company, LLC

DocuSigned by:



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Dan Furbee

Senior Vice President and Chief Operating Officer
Amplify Energy Corp.