

**§ 415.63**

safety, safety of property, U.S. national security or foreign policy interests, or international obligations of the United States. The FAA advises any person who has requested a payload review of its determination, in writing. The notice states the reasons for the determination in the event of an unfavorable determination.

(b) Any person issued an unfavorable payload determination may respond to the reasons for the determination and request reconsideration.

**§ 415.63 Incorporation of payload determination in license application.**

A favorable payload determination issued for a payload or class of payload may be included by a license applicant as part of its application. However, any change in information provided under section 415.59 of this subpart must be reported in accordance with section 413.17 of this chapter. The FAA determines whether a favorable payload determination remains valid in light of reported changes and may conduct an additional payload review.

**§§ 415.64–415.70 [Reserved]**

**Subpart E [Reserved]**

**Subpart F—Safety Review and Approval for Launch of an Expendable Launch Vehicle From a Non-Federal Launch Site**

SOURCE: Docket No. FAA-2000-7953, 71 FR 50532, Aug. 25, 2006, unless otherwise noted.

**§§ 415.91–415.100 [Reserved]**

**§ 415.101 Scope and applicability.**

(a) This subpart F contains requirements that an applicant must meet to obtain a safety approval when applying for a license to launch an expendable launch vehicle from a non-Federal launch site. This subpart also contains administrative requirements for a safety review, such as when and how an applicant files the required information, and the requirements for the form and content of each submission.

(b) The requirements of this subpart apply to both orbital and suborbital expendable launch vehicles.

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(c) An applicant must demonstrate, through the material filed with the FAA, its ability to comply with the requirements of part 417 of this chapter. To facilitate production of the information required by this subpart, an applicant should become familiar with the requirements of part 417 of this chapter.

(d) For a launch from an exclusive use launch site, where there is no licensed launch site operator, a launch operator must satisfy the requirements of this part and the public safety application requirements of part 420 of this chapter.

**§ 415.102 Definitions.**

For the purposes of this subpart, the definitions of §§417.3 and 401.5 of this chapter apply.

**§ 415.103 General.**

(a) The FAA conducts a safety review to determine whether an applicant is capable of conducting launch processing and flight without jeopardizing public health and safety and safety of property. The FAA issues a safety approval to a license applicant if the applicant satisfies the requirements of this subpart and demonstrates that it will meet the safety responsibilities and requirements of part 417 of this chapter.

(b) The FAA advises an applicant, in writing, of any issue raised during a safety review that would impede issuance of a safety approval. The applicant may respond, in writing, or amend its license application as required by §413.17 of this chapter.

(c) An applicant must make available to the FAA upon request a copy of any information incorporated into a license application by reference.

(d) A safety approval is part of the licensing record on which the FAA bases its licensing determination.

**§ 415.105 Pre-application consultation.**

(a) An applicant must participate in a pre-application consultation meeting, as required by §413.5 of this chapter, prior to an applicant's preparation of the initial flight safety analysis required by §415.115.

(b) At a pre-application consultation meeting, an applicant must provide as