

of each vehicle upper stage, and their estimated orbital lifetimes.

§ 415.27 Denial of policy approval.

The FAA notifies an applicant, in writing, if it has denied policy approval for a license application. The notice states the reasons for the FAA's determination. The applicant may respond to the reasons for the determination and request reconsideration.

§§ 415.28–415.30 [Reserved]

Subpart C—Safety Review and Approval for Launch From a Federal Launch Range

§ 415.31 General.

(a) The FAA conducts a safety review to determine whether an applicant is capable of launching a launch vehicle and its payload without jeopardizing public health and safety and safety of property. The FAA issues a safety approval to a license applicant proposing to launch from a Federal launch range if the applicant satisfies the requirements of this subpart and has contracted with the Federal launch range for the provision of safety-related launch services and property, as long as an FAA launch site safety assessment shows that the range's launch services and launch property satisfy part 417 of this chapter. The FAA evaluates on an individual basis all other safety-related launch services and property associated with an applicant's proposal, in accordance with part 417 of this chapter. A safety approval is part of the licensing record on which the FAA's licensing determination is based.

(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 revise its license application.

[Amdt. 415-03, 64 FR 19616, Apr. 21, 1999, as amended by Amdt. 415-4, 71 FR 50531, Aug. 25, 2006]

§ 415.33 Safety organization.

(a) An applicant shall maintain a safety organization and document it by identifying lines of communication and

approval authority for all launch safety decisions. Lines of communication, both within the applicant's organization and between the applicant and any federal launch range providing launch services, shall be employed to ensure that personnel perform launch safety operations in accordance with range safety requirements and with plans and procedures required by this subpart. Approval authority shall be employed to ensure compliance with range safety requirements and with plans and procedures required by this subpart.

(b) *Safety official.* An applicant shall identify by name, title, and qualifications, a qualified safety official authorized to examine all aspects of the applicant's launch safety operations and to monitor independently personnel compliance with the applicant's safety policies and procedures. The safety official shall report directly to the person responsible for an applicant's licensed launches, who shall ensure that all of the safety official's concerns are addressed prior to launch.

§ 415.35 Acceptable flight risk.

(a) *Flight risk through orbital insertion or impact.* Acceptable flight risk through orbital insertion for an orbital launch vehicle, and through impact for a suborbital launch vehicle, is measured in terms of the expected average number of casualties (c) to the collective members of the public exposed to debris hazards from any one launch. To obtain safety approval, an applicant must demonstrate that the risk level associated with debris from an applicant's proposed launch meets the public risk criteria of § 417.107(b)(1) of this chapter for impacting inert and impacting explosive debris.

(b) *Hazard identification and risk assessment.* To demonstrate compliance with paragraph (a) of this section, an applicant must file an analysis that identifies hazards and assesses risks to public health and safety and safety of property associated with nominal and non-nominal flight of its proposed launch.

(c) *Design.* A launch vehicle must be designed to ensure that flight risks meet the criteria of paragraph (a) of this section. An applicant must identify and describe the following: