



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

Commercial Space Transportation

800 Independence Ave., SW.  
Washington, DC 20591

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 450**

#### **FAA Determination that National Aeronautics and Space Administration (NASA) Wallops Flight Facility (WFF) Ground Safety Processes, Requirements, and Oversight are not Inconsistent with FAA's Statutory Authority Over Commercial Space Activities and May Be Used by Vehicle Operators to Meet FAA Ground Safety Requirements at NASA WFF.**

**AGENCY:** Federal Aviation Administration (FAA), Department of Transportation (DOT)

**ACTION:** Notice of Determination

**SUMMARY:** This action provides notice that the FAA, in accordance with 14 CFR §§ 450.179(b)(3) and (c), has determined that the NASA WFF ground safety processes, requirements, and oversight are not inconsistent with the FAA's statutory authority over commercial space activities conducted at NASA WFF.

**DATE:** The date of this notice is 4 June 2025.

**FOR FURTHER INFORMATION CONTACT:** For additional information concerning this action, contact Executive Director, Office of Operational Safety, via letter: 800 Independence Ave SW, Washington, DC 20591; via email: [9-AST-Inquiries@faa.gov](mailto:9-AST-Inquiries@faa.gov).

**SUPPLEMENTARY INFORMATION:** The Commercial Space Launch Act of 1984, as amended and codified at 51 U.S.C. §§ 50901-50923, authorizes the Department of Transportation, and the FAA through delegation, to oversee, license, and regulate commercial launch and reentry activities, and the operation of launch and reentry sites as carried out by U.S. citizens or within the United States. The FAA, through regulations, exercises this responsibility consistent with public health and safety, safety of property, and the national security and foreign policy interests of the United States. 51 U.S.C. 50905.

### **I. Background**

To minimize duplicative government requirements, the FAA has historically relieved operators from having to demonstrate compliance with FAA ground safety requirements<sup>1</sup> when conducting

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<sup>1</sup> 14 CFR §§ 417.402(b) and 415.31(a).

licensed activities at a Federal site if a launch operator has an agreement with a Federal site for the provision of ground safety services, and the FAA through its launch site safety assessment (LSSA) found that the Federal site's ground safety process satisfies FAA requirements.

For activities licensed under 14 CFR part 450, a vehicle operator is not required to comply with the ground safety requirements of §§ 450.181 through 450.189 if the following conditions under § 450.179(b) are met:

- (1) The launch or reentry is being conducted from a Federal launch or reentry site;
- (2) The operator has a written agreement with the Federal launch or reentry site for the provision of ground safety services and oversight; and
- (3) The Administrator has determined that the Federal launch or reentry site's ground safety processes, requirements, and oversight are not inconsistent with the Secretary's statutory authority over commercial space activities.

The FAA limits the applicability of § 450.179(b) to certain Federal sites, such as Cape Canaveral Space Force Station (CCSFS), NASA Goddard Space Flight Center's (GSFC) Wallops Flight Facility (WFF), NASA's Kennedy Space Center (KSC), and Vandenberg Space Force Base (VSFB), that have a long history of conducting launches and reentries in a manner consistent with FAA regulations.<sup>2</sup> In general, when the FAA finds that a Federal site meets the conditions in § 450.179(b), the FAA will develop a Memorandum of Agreement (MOA) or similar agreement with the site and post a notice of determination on the FAA's website. It should be noted that, even when § 450.179(b) is met, the FAA preserves its statutory jurisdiction over those ground safety activities that are part of launch and reentry but recognizes certain Federal processes and procedures as sufficient to meet the FAA's mandate.

To make the § 450.179(b)(3) determination, the Administrator according to § 450.179(c) considers the nature and frequency of launch and reentry activities conducted from the Federal launch or reentry site, coordination between the FAA and the Federal launch or reentry site personnel, and the Administrator's knowledge of the Federal launch or reentry site's requirements. The FAA's assessment of a Federal site's ground safety processes and procedures under § 450.179(b)(3) is substantively equivalent to LSSAs under part 415, through which the FAA determines whether the Federal site's requirements and practices meet FAA safety regulations.

## **II. Discussion of the Determination**

In accordance with § 450.179(c) and as documented in this notice, the FAA concludes that WFF's ground safety processes, requirements, and oversight align or are not inconsistent with the FAA's statutory authority over commercial space activities conducted at WFF based on the following:

- Nature and frequency of launch activities conducted at WFF;
- Coordination between FAA and WFF safety personnel; and
- FAA's knowledge of WFF's safety requirements and processes.

WFF has a long history of conducting commercial and government suborbital (sounding rockets)

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<sup>2</sup> 85 FR 79566, 79592.

and orbital launches. FAA-licensed commercial orbital launches at WFF have involved Northrop Grumman's Pegasus, Minotaur, and Antares launch vehicles and Rocket Lab's Electron vehicles. WFF's demonstrated experience and safety record in supporting commercial and government operations provide confidence to the FAA that WFF has established effective processes, procedures, and requirements to protect the public and property from hazardous ground operations and systems.

The FAA's knowledge and familiarity with WFF's ground safety processes and requirements are based on the FAA's long-term working relationship with WFF. In the past, under the legacy regulations (parts 415/417), the FAA assessed WFF's ground safety processes and requirements, documenting in an LSSA that WFF's safety-related launch services satisfy FAA requirements. Maintaining this FAA familiarity and knowledge requires coordination with WFF. The FAA has a longstanding partnership with WFF through the Common Standards Working Group (CSWG) and coordinates with WFF on FAA-licensed launch operations at WFF.

Despite the LSSA<sup>3</sup> on WFF being conducted years ago, continual coordination between FAA and WFF safety personnel has maintained the FAA's knowledge and insight into WFF's ground safety processes, requirements, and oversight, ensuring the validity of the FAA's determination. Recognizing the importance of maintaining coordination between the FAA and NASA Federal sites (viz., WFF and KSC), the FAA and NASA established an Umbrella Interagency Agreement<sup>4</sup> to eliminate duplicative requirements and resolve any inconsistent Federal government requirements, thereby reducing the burden on commercial operators whose operations are licensed by the FAA.

The FAA's knowledge of WFF's ground safety processes and practices has been enhanced through collaboration with WFF in developing the FAA/WFF annex<sup>5</sup> to the Umbrella Interagency Agreement and by mapping part 450 ground safety regulations to WFF's ground safety requirements. To support its request<sup>6</sup> for an FAA § 450.179(b)(3) determination, WFF provided a compliance matrix that cross references the ground safety regulations outlined in § 450.181 to § 450.189 with WFF's ground safety policy and requirements found in:

- Goddard Space Flight Center (GSFC), Wallops Flight Facility Range Safety Manual (RSM), GSFC-STD-8009, and
- NASA Center-wide Procedures and Guidelines (PG) for WFF, Range Safety Process for Programs and Projects, 390-PG-8715.5.1.

GSFC-STD-8009 establishes WFF's flight and ground safety technical requirements, applicable to

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<sup>3</sup> Because an LSSA is not required under part 450, the FAA will no longer update LSSAs. Therefore, maintaining coordination between FAA and Federal site personnel is important for the FAA to retain insight into a Federal site's processes and requirements.

<sup>4</sup> Nonreimbursable Umbrella Interagency Agreement Between NASA and FAA for Commercial Launch and Reentry Activity on NASA Ranges and Installations, January 10, 2025.

<sup>5</sup> Site-specific annexes to the Umbrella Interagency Agreement for both KSC and WFF are being developed to detail the specific purpose of proposed activities, responsibilities, schedule and milestones, as well as any services, facilities, or equipment to be used pursuant to FAA licensed activities at the locations.

<sup>6</sup> NASA WFF request, dated March 25, 2025, seeking an FAA § 450.179(b)(3) determination regarding WFF's ground safety services and oversight for launches conducted from WFF.

operators conducting range operations at WFF and establishes a range safety program to protect the public, workforce, and property.<sup>7</sup> This GSFC standard serves as a companion to 390-PG-8715.5.1, which identifies the critical roles and activities for safe range operations. 390-PG-8715.5.1 defines WFF's overarching range safety process, which details WFF's engagement with operators and how WFF goes about ensuring the technical requirements in the WFF Range Safety Manual are implemented.

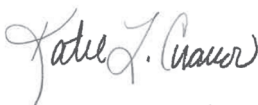
Furthermore, NASA Goddard procedural requirements (GPR) document, GPR 8700.11, titled "Safety Program for Non-NASA Operations on Wallops Flight Facility" establishes responsibilities and defines the technical requirements and the processes that serve to ensure safety, including protection of the public, during activities associated with non-NASA commercial operations at WFF.

*For the reasons outlined above, per § 450.179(b)(3), the FAA has determined that WFF's ground safety processes, requirements, and oversight for launches<sup>8</sup> are not inconsistent with the FAA's statutory authority over commercial space activities conducted at WFF. This conclusion is based on WFF providing ground safety services and oversight that meet its requirements, policies, and standards. In making this determination, the FAA in accordance with § 450.179(c), considered the nature and frequency of launch activities conducted at WFF, the coordination between FAA and WFF safety personnel, and the FAA's knowledge of WFF's ground safety requirements and processes.*

### III. Implementation

A vehicle operator launching from WFF seeking not to comply with the ground safety requirements of §§ 450.181 through 450.189 should request a determination under § 450.179(b) during pre-application consultation. In order for § 450.179(b) to apply, an operator must provide a written agreement with NASA WFF for the provision of ground safety services and oversight by WFF for the proposed activities at this site. Regarding § 450.179(b)(3), a vehicle operator conducting launch may use this Notice to document the FAA's determination that the NASA WFF ground safety processes, requirements, and oversight are not inconsistent with the FAA's statutory authority over commercial space activities conducted at NASA WFF.

**The contents of this document do not have the force and effect of law and are not meant to bind the public in any way. It is intended only to provide clarity to the public regarding existing requirements under the law and agency policies.**



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<sup>7</sup> The FAA's focus is on protecting the public and public property.

<sup>8</sup> Currently, the FAA has limited its determination to launches and not reentries because only launches have taken place at WFF.