



DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 401 and 450

[Docket No.: FAA-2026-9934; Notice No. 26-22]

RIN 2120-AM38

Simplifying Physical Containment Requirements

AGENCY: Federal Aviation Administration (FAA), U.S. Department of Transportation (DOT).

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: FAA proposes to amend its commercial space launch and reentry licensing regulations to streamline the licensing process and reduce regulatory burden on operators. Specifically, FAA proposes to relieve the burden by specifying that, when using physical containment as a hazard control strategy, operators do not need to develop flight hazard areas in accordance with FAA's existing flight hazard area analysis requirements.

DATES: Send comments on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

ADDRESSES: Send comments identified by docket number FAA-2026-9934 using any of the following methods:

- Federal eRulemaking Portal: Go to www.regulations.gov and follow the online instructions for sending your comments electronically.
- Mail: Send comments to Docket Operations; U.S. Department of Transportation (DOT), 1200 New Jersey Avenue, SE, West Building, 5th Floor (W58-213), Washington, DC 20590-0001.
- Hand Delivery or Courier: Take comments to Docket Operations in Room W58-213 of the West Building, 5th Floor at 1200 New Jersey Avenue, SE,

Washington, DC 20590 between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- Fax: Fax comments to Docket Operations at (202) 493-2251.

Privacy: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to inform its rulemaking process better. DOT posts these comments, without edit, including any personal information the commenter provides, to www.regulations.gov, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at www.dot.gov/privacy.

Docket: Background documents or comments received may be read at www.regulations.gov at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W58-213 of the West Building 5th Floor at 1200 New Jersey Avenue, SE, Washington, DC 20590 between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Lisa E. Cacciatore, Office of Commercial Space Transportation, Federal Aviation Administration, 1200 New Jersey Avenue SE, Washington, DC 20590; telephone (202) 880-1489; email Lisa.E.Cacciatore@faa.gov.

SUPPLEMENTARY INFORMATION:

I. Overview

In accordance with Executive Order (E.O.) 14335, “Enabling Competition in the Commercial Space Industry,” FAA proposes to amend its commercial space launch and reentry regulations at 14 CFR part 450 to further streamline the commercial space licensing process. The proposed rule would eliminate redundant and contradictory requirements in § 450.110 created by the existing reference to § 450.133. Though the proposed rule would remove this reference, it would preserve certain underlying requirements to maintain public safety. The proposed rule would explicitly state the

preserved requirements within the proposed regulatory text. To facilitate this, the proposed rule would consolidate § 450.110(b)(1) and (b)(2), divide § 450.110(c)(1) into two separate paragraphs, § 450.110(c)(1) and § 450.110(c)(2), and re-designate the existing § 450.110(c)(2) as § 450.110(c)(3). In addition, this proposed rule would add the word “reentry” to paragraph (b)(1), paragraph (c)(1), and the definition of “physical containment” in § 401.7. Finally, this proposed rule would add the word “flight” to the proposed § 450.110(b)(2).

II. Authority for This Rulemaking

The Commercial Space Launch Act of 1984, as amended and codified at 51 U.S.C. 50901–50924, authorizes the Secretary of Transportation to oversee, license, and regulate commercial launch and reentry activities, and the operation of launch and reentry sites within the United States or as carried out by U.S. citizens. Section 50905 directs the Secretary to exercise this responsibility consistent with public health and safety, safety of property, and the national security and foreign policy interests of the United States. In addition, section 50903 requires the Secretary to encourage, facilitate, and promote commercial space launches and reentries by the private sector. As codified in 49 CFR 1.83(b), the Secretary has delegated authority to the FAA Administrator to carry out these functions.

III. Background

FAA has established commercial space regulations governing licensing of launch and reentry in 14 CFR chapter III. On December 10, 2020, FAA issued a final rule consolidating all substantive launch and reentry licensing regulations into a new part 450 (85 FR 79566), which went into effect on March 10, 2021. On August 13, 2025, the President issued E.O. 14335, “Enabling Competition in the Commercial Space Industry,” requiring the Secretary of Transportation to “reevaluate, amend, or rescind” the part 450

regulations for the purpose of further streamlining the commercial licensing process. This proposed rule is being published in furtherance of this E.O.

In accordance with its statutory authority, FAA currently issues licenses for the launch of a launch vehicle, the operation of a launch site, the reentry of a reentry vehicle, and the operation of a reentry site. Part 450 provides the criteria that an operator must meet in order for FAA to issue a launch or reentry license. Section 450.101 outlines the safety criteria for launch and reentry vehicles. To meet the safety criteria of § 450.101, an operator must use one or more of the hazard control strategies found in § 450.107 for each phase of flight.

One option for the hazard control strategy from § 450.107 is physical containment, the requirements for which are found in § 450.110. Physical containment is when a launch vehicle does not have sufficient energy for any hazards associated with its flight to reach the public or critical assets.¹ If an operator complies with the physical containment requirements for a given phase of flight, the risks posed to the public and critical assets from that phase of flight are zero. Per § 450.110, physical containment can apply as a hazard control strategy either for the entire flight or for one or more specific phases of flight. As a result, if an operator can comply with § 450.110 physical containment requirements for a phase of flight of their launch or reentry vehicle, then no risk analyses are necessary for that phase of flight.

Under current § 450.110(b), to use physical containment as a hazard control strategy, an operator must develop the flight hazard area in accordance with § 450.133; ensure that the launch vehicle does not have sufficient energy for any hazards associated with its flight to reach outside the flight hazard area; ensure the hazard area is clear of the public and critical assets; and apply other mitigation measures necessary to ensure no

¹ See *Streamlined Launch and Reentry Licensing Requirements*, 84 FR 15296 (April 15, 2019).

public or critical asset exposure to hazards. The goal of the current regulation is to require operators to establish a flight hazard area large enough to encompass any hazards from the flight and then ensure that the hazard area is clear of the public and critical assets.

However, subsequent experience with the regulation and discussions with applicants have revealed a conflict between paragraph (b)(1), requiring the flight hazard area to be developed in accordance with § 450.133, and paragraph (b)(2), requiring that no flight hazard can reach outside of the flight hazard area. Section 450.133 requires an operator to engage in a probabilistic analysis for setting the flight hazard area by identifying those regions of land, sea, or air that must be surveyed, publicized, controlled, or evacuated to meet the risk criteria in § 450.101. Under this analysis, the flight hazard area need not encompass all hazards to the public, only those hazards that exceed the risk criteria in § 450.101.

However, paragraph (b)(2) requires that all flight hazards be contained within that hazard area. In other words, paragraph (b)(2) requires the flight hazard area to encompass all hazards to the public. Consequently, the flight hazard area developed under paragraph (b)(1) would be smaller than a flight hazard area that would be necessary to comply with paragraph (b)(2).

The proposed rule would both resolve this conflict and make additional changes to § 450.110 to enable operators to more easily comply with the requirements of that section.

IV. Discussion of the Proposal

To address the conflict between current paragraphs (b)(1) and (b)(2), FAA proposes revising both paragraphs into a single paragraph (b)(1) requiring an operator to develop a flight hazard area “that ensures that the launch or reentry vehicle does not have sufficient energy for any hazards associated with its flight to reach outside that area” Current paragraphs (b)(3) and (b)(4) would be renumbered as paragraphs (b)(2) and (b)(3), respectively. The proposed paragraph (b)(1) would require the operator to establish a

flight hazard area, defined by the vehicle's maximum potential energy, beyond which no flight-related hazards can reach. By ensuring the vehicle does not have the energy to reach outside this designated area and verifying that the area is cleared of the public and critical assets in accordance with proposed paragraphs (b)(2) and (b)(3), the operator effectively eliminates the possibility of public exposure to any flight hazards. For example, during the final landing burn of a first stage returning to a barge, the vehicle's nearly depleted propellant and low velocity impose a physical limit on the reach of any hazard to a localized, predictable zone. If that zone is confirmed clear of the public and critical assets, then the physical containment strategy eliminates risk without the need for the probabilistic risk analyses required by § 450.133, as the inherent physical constraints of that flight phase guarantee public safety.

Notably, the proposed change would not relieve an operator of the independent requirement to develop a flight hazard area under § 450.133 for any phase of flight in which physical containment is not used as the only hazard control strategy.

The proposed rule would also revise the application requirements in § 450.110(c) for an operator utilizing physical containment as a hazard control strategy. Section 450.110(c)(1) currently requires the operator to provide a "demonstration" that the launch vehicle does not have sufficient energy for any hazards associated with its flight to reach outside the flight hazard area developed in accordance with § 450.133. The proposed rule would divide this application requirement into two separate requirements (proposed paragraphs (c)(1) and (c)(2)) to state better what is required for the "demonstration" and redesignate current paragraph (c)(2) as paragraph (c)(3).

Proposed paragraph (c)(1) would require "[a] description of a valid method for determining the flight hazard area in accordance with paragraph (b)(1)." The first requirement is necessary for FAA to evaluate compliance with § 450.101(g), which requires that any analysis used to demonstrate compliance with § 450.101 "must use

accurate data and scientific principles and the analysis must be statistically valid. The method must produce results consistent with or more conservative than the results available from previous mishaps, tests, or other valid benchmarks, such as higher-fidelity methods.” As such, proposed paragraph (c)(1) also includes a cross-reference to § 450.101(g) to help applicants identify this applicable standard when producing the description.

Furthermore, proposed paragraph (c)(3)(i) also requires this description to identify the scientific principles and statistical methods used, with associated assumptions and their justifications, as well as evidence for validation and verification. These items are modeled on the flight safety analysis description of methods requirements at § 450.115(c)(1), (2), and (4). As with the flight safety analysis method requirements, which are used by FAA to evaluate compliance with § 450.101(g) for the analyses that comprise the flight safety analysis, the items listed at proposed § 450.110(c)(1) are necessary for showing that the analysis undertaken to develop the flight hazard area complies with § 450.101(g).

Proposed paragraph (c)(2) would require “[t]abular data and graphs of the flight hazard area as developed in accordance with paragraph (b)(1) for a representative mission.” This means that the applicant must produce tabular data and graphs of the flight hazard area by conducting an analysis for a representative mission. The analysis must utilize the method described by the applicant to meet paragraph (c)(i). This representative data would be used to evaluate whether the operator’s methods for clearance of the flight hazard area, which are required to be submitted under redesignated paragraph (c)(3), are appropriate for operations under the license.

In addition to the larger changes to paragraphs (b) and (c), the proposed rule would also use the term “launch or reentry vehicle” in § 450.110(b)(1) and (c)(1) instead of the term “launch vehicle,” as used by the current regulation. Section 450.110 already applies

to operators using physical containment as a hazard control strategy for reentry vehicles, as stated in § 450.110(a). However, FAA inadvertently omitted reentry vehicles from § 450.110(b) and (c) during the initial drafting of § 450.110. FAA would remedy this omission by applying proposed § 450.110(b)(1) and (c)(1) to both launch vehicles and reentry vehicles.

Similarly, FAA proposes to amend the definition of “physical containment” in § 401.7 to replace the term “launch vehicle” with “launch or reentry vehicle.” As is the case with current § 450.110(b) and (c), FAA inadvertently omitted reentry vehicles from that definition of “physical containment” during the initial drafting of § 401.7.

Finally, the proposed rule would amend the proposed renumbered § 450.110(b)(2) (current § 450.110(b)(3)) by adding the word “flight” before “hazard area,” so the text would read “[e]nsure the flight hazard area is clear of the public and critical assets.” This amendment clarifies that the proposed renumbered § 450.110(b)(2) applies to the flight hazard area, not hazard areas in general. Although the current regulation implicitly refers to the flight hazard area, because § 450.110(b) and (c) otherwise consistently refer to the flight hazard area and the reference to hazard area in the current § 450.110(b)(3) clearly refers to the same flight hazard area discussed in the rest of § 450.110(b), there is potential for confusion due to the inadvertent omission of “flight” before “hazard area” in current § 450.110(b)(3). This proposed change to the renumbered § 450.110(b)(2) would ensure clarity in the regulation and avoid confusion.

V. Regulatory Notices and Analyses

A. Regulatory Impact Analysis

E.O. 12866 (“Regulatory Planning and Review”) and E.O. 13563 (“Improving Regulation and Regulatory Review”) require agencies to regulate in the “most cost-effective manner,” to make a “reasoned determination that the benefits of the intended regulation justify its costs,” and to develop regulations that “impose the least burden on

society.” The Office of Management and Budget has determined this proposed rule is not a significant regulatory action as defined in Section 3(f) of E.O. 12866.

Currently, as written, § 450.110 requires the flight hazard area to be developed in accordance with § 450.133. FAA did not intend to require an operator to comply with § 450.133 for those phases of flight that comply with § 450.110.

The proposed rule would clarify § 450.110(b)(1) by removing the requirement that the hazard area is developed in accordance with § 450.133 and combining (b)(1) and (b)(2). This change does not remove the requirement to develop a flight hazard area under § 450.110(b)(1). This proposal would be a less stringent requirement than compliance with § 450.133. Table 1 lists the changes to each provision along with their respective impacts. FAA expects the proposed rule would result in minor cost savings for both FAA and licensed operators by preventing the need for correspondence on the topic.

FAA acknowledges that replacing the requirement for compliance with § 450.133 could hypothetically generate cost savings by reducing the burden on an operator to prepare and FAA to review the § 450.133 analysis, or, alternatively, Equivalent Level of Safety (ELOS) or waiver requests. However, there is currently not sufficient data to quantify such an impact. Consequently, while a reduction in analyses or specialized paperwork and correspondence would likely occur for any future applicant seeking to perform or avoid § 450.133 risk analyses, FAA cannot currently verify these savings through past performance or historical data.

Table 1: Regulatory Changes and Impact

Provision	Change	Impact
14 CFR 401.7 – definition of physical containment	Adds “or reentry” to the definition of Physical Containment to clarify that the regulation encompasses reentries.	Clarification / No impact.
14 CFR 450.110 – Clarification for the Physical Containment hazard control strategy	Revises § 450.110(b)(1) by removing the requirement that the hazard area is developed in accordance with § 450.133.	Small administrative cost savings because it provides clarity to regulated entities. FAA would not have to provide

	Renumbers § 450.110(b)(2) as paragraph (b)(1) and revises the paragraph to require development of a flight hazard area that ensures that the launch or reentry vehicle does not have sufficient energy for any hazards associated with its flight to reach outside that area.	guidance to clarify any confusion from regulated entities. Removing the § 450.133 requirement eliminates compliance burdens and generates cost savings for the operators who would have otherwise been affected.
	Revises § 450.110(b) and (c) to add “or reentry” to clarify that the regulation encompasses reentries.	Clarification / No impact.
	Revises § 450.110(b)(3) to § 450.110(b)(2) and adds “flight” to clarify the reference to “flight hazard area.”	Clarification / No impact.
	Revises the numbering in § 450.110(b)(4) to § 450.110(b)(3).	No impact.
	Revises § 450.110(c)(1) by removing the requirement to provide a “demonstration” of compliance with paragraph (b)(2). Replaces that requirement with new paragraph (c)(1) requiring the operator to provide a description of the method used to develop the flight hazard area and new paragraph (c)(2) requiring the operator to reference to provide “[t]abular data and graphs of the flight hazard area as developed in accordance with paragraph (b)(1) for a representative mission”	No impact because operators need to provide a description of the method and representative data under the current requirement at paragraph (b)(1).
	Move § 450.110(c)(2) to new § 450.110(c)(3).	No impact.

B. Regulatory Flexibility Act

Under the Regulatory Flexibility Act (RFA) (5 U.S.C. 601–612), agencies must prepare and make available for public comment a regulatory flexibility analysis that describes the effect of the rulemaking on small entities (i.e., small businesses, small organizations, and small government jurisdictions). No regulatory flexibility analysis is required, however, if the head of an agency certifies that the proposed rule would not have a significant economic impact on a substantial number of small entities. FAA has concluded and hereby certifies that this proposed rule would not have a significant economic impact on a substantial number of small entities; therefore, an analysis is not included.

C. International Trade Impact Assessment

The Trade Agreements Act of 1979 (Pub. L. 96-39), as amended by the Uruguay Round Agreements Act (Pub. L. 103-465), prohibits Federal agencies from establishing standards or engaging in related activities that create unnecessary obstacles to the foreign commerce of the United States. Pursuant to these Acts, the establishment of standards is not considered an unnecessary obstacle to the foreign commerce of the United States, so long as the standard has a legitimate domestic objective, such as the protection of safety, and does not operate in a manner that excludes imports that meet this objective. The statute also requires consideration of international standards and, where appropriate, they be the basis for U.S. standards.

FAA has assessed the potential effect of this proposed rule and determined that it would not create unnecessary obstacles to the foreign commerce of the United States.

D. Unfunded Mandates Assessment

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538) governs the issuance of Federal regulations that require unfunded mandates. An unfunded mandate is a regulation that requires a State, local, or Tribal government or the private sector to incur direct costs without the Federal Government having first provided the funds to pay those costs. FAA determined the proposed rule would not result in the expenditure of \$193,000,000 or more (\$100,000,000 adjusted for inflation using the most current Implicit Price Deflator for the Gross Domestic Product) by State, local, or Tribal governments, in the aggregate, or the private sector, in any one year.

E. Paperwork Reduction Act

The Paperwork Reduction Act of 1995 (44 U.S.C. 3507(d)) requires FAA consider the impact of paperwork and other information collection burdens imposed on the public. FAA has determined there would be no new requirement for information collection associated with this proposed rule.

F. International Compatibility

In keeping with U.S. obligations under the Convention on International Civil Aviation, it is FAA policy to conform to International Civil Aviation Organization (ICAO) Standards and Recommended Practices to the maximum extent practicable. FAA has determined there are no ICAO Standards and Recommended Practices that correspond to these proposed regulations.

G. Environmental Analysis

The Department has analyzed the environmental impacts of this notice of proposed rulemaking pursuant to the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321, et seq.). FAA has determined this proposed rule is categorically excluded pursuant to FAA Order 1050.1G. Categorical exclusions are categories of actions FAA has determined normally do not significantly affect the quality of the human environment and therefore do not require either an environmental assessment (EA) or environmental impact statement (EIS). In analyzing the applicability of a categorical exclusion, FAA must also consider whether extraordinary circumstances are present that would warrant the preparation of an EA or EIS. This rulemaking, which would specify that, when using physical containment as a hazard control strategy, operators do not need to develop flight hazard areas in accordance with FAA's existing flight hazard area analysis requirements, is categorically excluded pursuant to FAA Order 1050.1G, Appendix B, Paragraph B-2.6(f), which categorically excludes issuance of regulatory documents. FAA does not anticipate any environmental impacts, and there are no extraordinary circumstances present in connection with this rulemaking.

VI. E.O. Determinations

A. E.O. 13132, Federalism

FAA has analyzed this proposed rule under the principles and criteria of E.O. 13132, Federalism. FAA has determined this action would not have a substantial direct

effect on the States, or the relationship between the Federal Government and the States, or on the distribution of power and responsibilities among the various levels of government, and, therefore, would not have federalism implications.

B. E.O. 13175, Consultation and Coordination With Indian Tribal Governments

Consistent with E.O. 13175, Consultation and Coordination with Indian Tribal Governments,² and FAA Order 1210.20, American Indian and Alaska Native Tribal Consultation Policy and Procedures,³ FAA ensures Federally Recognized Tribes (Tribes) are given the opportunity to provide meaningful and timely input regarding proposed Federal actions that have the potential to affect uniquely or significantly their respective Tribes. At this point, FAA has not identified any unique or significant effects, environmental or otherwise, on Tribes resulting from this proposed rule.

C. E.O. 13211, Regulations That Significantly Affect Energy Supply, Distribution, or Use

FAA analyzed this proposed rule under E.O. 13211, Actions Concerning Regulations that Significantly Affect Energy Supply, Distribution, or Use (May 18, 2001). FAA has determined it would not be a “significant energy action” under the E.O. and would not be likely to have a significant adverse effect on the supply, distribution, or use of energy.

D. E.O. 13609, Promoting International Regulatory Cooperation

E.O. 13609, Promoting International Regulatory Cooperation, promotes international regulatory cooperation to (1) meet shared challenges involving health, safety, labor, security, environmental, and other issues and to reduce, eliminate, or (2) prevent unnecessary differences in regulatory requirements. FAA has analyzed this action under the policies and agency responsibilities of E.O. 13609 and has determined this action would have no effect on international regulatory cooperation.

² 65 FR 67249 (November 6, 2000).

³ FAA Order No. 1210.20 (January 28, 2004), available at: www.faa.gov/documentLibrary/media/1210.pdf.

This proposed rule, if finalized as proposed, is expected to be an E.O. 14192 deregulatory action.

VII. Additional Information

A. Comments Invited

FAA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. FAA also invites comments relating to the economic, environmental, or federalism impacts that might result from adopting the proposals in this document. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should submit only one time if comments are filed electronically, or commenters should send only one copy of written comments if comments are filed in writing.

FAA will file in the docket all comments it receives, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rule. Before acting on this proposal, FAA will consider all comments it receives on or before the closing date for comments. FAA will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. FAA may change this proposal in light of the comments it receives.

B. Confidential Business Information

Confidential Business Information (CBI) is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and is relevant or responsive to this NPRM, it is important you clearly designate the submitted comments as

CBI. Please mark each page of your submission containing CBI as “PROPIN.” FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to the person in the **FOR FURTHER INFORMATION CONTACT** section of this document. Any commentary FAA receives that is not specifically designated as CBI will be placed in the public docket for this rulemaking.

C. Electronic Access and Filing

A copy of this NPRM, all comments received, any final rule, and all background material may be viewed online at www.regulations.gov using the docket number listed above. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year. An electronic copy of this document may also be downloaded from the Office of the Federal Register’s website at www.federalregister.gov and the Government Publishing Office’s website at www.govinfo.gov. A copy may also be found at FAA’s Regulations and Policies website at www.faa.gov/regulations_policies.

Copies may also be obtained by sending a request to the Federal Aviation Administration, Office of Rulemaking, ARM-1, 800 Independence Avenue SW, Washington, DC 20591, or by calling (202) 267-9677. Requesters must identify the docket or notice number of this rulemaking.

All documents FAA considered in developing this proposed rule, including economic analyses and technical reports, may be accessed in the electronic docket for this rulemaking.

D. Small Business Regulatory Enforcement Fairness Act

The Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104-121, 110 Stat. 857, Mar. 29, 1996) requires FAA to comply with small entity requests for information or advice about compliance with statutes and regulations within its jurisdiction. A small entity with questions regarding this document may contact its local

FAA official or the person listed under the **FOR FURTHER INFORMATION CONTACT** heading at the beginning of the preamble. To find out more about SBREFA on the Internet, visit www.faa.gov/regulations_policies/rulemaking/sbre.act/.

List of Subjects

14 CFR Part 401

Organization and functions (Government agencies), Space transportation and exploration.

14 CFR Part 450

Aircraft, Aviation safety, Environmental protection, Investigations, Reporting and recordkeeping requirements, Space transportation and exploration.

The Proposed Amendments

For the reasons discussed in the preamble, the Federal Aviation Administration proposes to amend chapter III of title 14, Code of Federal Regulations, as follows:

PART 401— ORGANIZATION AND DEFINITIONS

1. The authority citation for part 401 is revised to read as follows:

Authority: 51 U.S.C. Chapter 509.

2. Amend § 401.7 by revising the definition for “Physical Containment” to read as follows:

§ 401.7 Definitions.

* * * * *

Physical containment means a launch or reentry vehicle does not have sufficient energy for any hazards associated with its flight to reach the public or critical assets.

* * * * *

PART 450— LAUNCH AND REENTRY LICENSE REQUIREMENTS

3. The authority citation for part 450 is revised to read as follows:

Authority: 51 U.S.C. Chapter 509.

§ 450.110 Physical Containment [Amended]

4. Revise § 450.110 to read as follows:

* * * * *

(b) * * *

(1) Develop a flight hazard area that ensures that the launch or reentry vehicle does not have sufficient energy for any hazards associated with its flight to reach outside that area;

(2) Ensure the flight hazard area is clear of the public and critical assets; and

(3) Apply other mitigation measures necessary to ensure no public or critical asset exposure to hazards, such as control of public access or wind placards.

(c) * * *

(1) A description of a valid method for determining the flight hazard area in accordance with paragraph (b)(1). The description must demonstrate compliance with § 450.101(g) by documenting:

(i) The scientific principles and statistical methods used, with associated assumptions and their justifications; and

(ii) Evidence for validation and verification.

(2) Tabular data and graphs of the flight hazard area as developed in accordance with paragraph (b)(1) for a representative mission; and

(3) A description of the methods used to ensure that flight hazard areas are cleared of the public and critical assets.

* * * * *

Issued under authority provided by 49 U.S.C. 106(f) and 51 U.S.C. chapter 509 in Washington, DC.

Minh A. Nguyen,
Deputy Associate Administrator, Office of Commercial Space Transportation.

[FR Doc. 2026-20386 Filed: 10/2/2026 8:45 am; Publication Date: 10/5/2026]