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BALANCE GROUP: STATEMENT ON SAFETY – AUGUST 26, 2022

On February 9, 2022, the world awoke to front page news that over 40 newly launched SpaceX satellites had been knocked out of orbit due to a predictable and routine solar flare. The SpaceX low earth orbit satellite mega-constellation network had only started deploying. Yet at least over 10% of what had just been deployed was tumbling out of orbit.¹ Even today, the SpaceX network is not even close to deploying its full complement of authorized satellites.

The Federal Communications Commission (FCC) previously authorized SpaceX to deploy a network larger than all the satellites ever launched in the history of humankind.

The National Environmental Policy Act (“NEPA”) requires environmental review before major federal actions. Federal agencies are required by NEPA to issue “a detailed statement” about any environmental impact related to any “major federal actions significantly affecting the quality of the human environment.” The FCC wrongly did not conduct an environmental impact statement (EIS) nor a less rigorous Environmental Assessment (EA).

D.C. Circuit Decision:

The BALANCE GROUP sought a court review, and is grateful that the Court brought its focus to this unprecedented global network, especially as the Commission undergoes the process to assess safety against potential future catastrophic failures and the resulting impact to safe operations and global and space environments. We are disappointed that the Court decided to not address The BALANCE GROUP’s challenges to the Commission’s decision to authorize changes to the SpaceX system without assessing the potential environmental harms.

The Commission’s chosen path of turning a blind eye to these issues is not the path for understanding in a balanced manner how to ensure safe and sustainable space operations nor how to secure basic environmental protections. Once fully deployed, an entirely predictable, large-scale failure may cause inestimable damage to our economy, security and environment, and it is not clear that SpaceX is fully insured or otherwise prepared to pay for those damages.

It is also puzzling that astronomers, many of whom are BALANCE GROUP members who stated clearly in the record that their systems are being blinded by the nascent SpaceX network, did not get their concerns heard on the merits. Many of these astronomers track for meteors that may hit the earth. Other equally concerned parties who are impacted by SpaceX also did not have their concerns heard on the merits.

The BALANCE GROUP exists to provide a balanced approach to solving large, systemic issues concerning existing and proposed man-made systems and their impact on the human condition and the environment at large. Technology and large-scale networks provide certain benefits that we all rely upon, yet the same existing or proposed networks and systems can degrade the human condition and surrounding environment. The BALANCE GROUP will continue to provide a forum for its members and the public-at-large to conduct balanced research and advocacy for respecting the need for technology while also improving the human and environmental condition.

¹ <https://www.nytimes.com/2022/02/09/science/spacex-satellites-storm.html>