### Specific Analyses for Steps Three and Seven

#### Regulatory Planning and Review (E.O. 12866)

- **Would the rule have a $100 million annual impact, raise novel issues, and/or have other significant impacts?**
  - **Yes:** Prepare economic impact analysis.
  - **No:** Prepare non-economic review.

#### Regulatory Flexibility Act (5 U.S.C. 601-612)

- **Is a notice of proposed rulemaking required by law?**
  - **Yes:** Prepare regulatory flexibility analysis.
  - **No:** No analysis required.

- **Is the rule a discretionary rule that has tributary implications and imposes substantial unreimbursed direct compliance costs on 10 or more States, local governments, Indian Tribes, or small Indian tribal organizations?**
  - **Yes:** Prepare tribal impact analysis.
  - **No:** No analysis required.

#### Paperwork Reduction Act (44 U.S.C. 3501-3520)

- **Does the rule contain a “collection of information” requiring disclosure or recordkeeping?**
  - **Yes:** Prepare information collection clearance package for OMB review and approval, and prepare request for public comments.
  - **No:** No action required.


- **Does the rule include any Federal mandates that may result in the expenditure (direct costs minus direct savings) by State, local, and tribal governments, in the aggregate, or by the private sector, of $100 million in any one year (adjusted annually)?**
  - **Yes:** Prepare unfunded mandates analysis (unless an exclusion applies).
  - **No:** No analysis required.

#### Federalism (E.O. 13132)

- **Is the rule a discretionary rule that has federalism implications and imposes substantial unreimbursed direct compliance costs on State and local governments?**
  - **Yes:** Prepare federalism summary impact statement.
  - **No:** No analysis required.

#### Indian Tribal Governments (E.O. 13175)

- **Is the rule a discretionary rule that has tribal implications and imposes substantial unreimbursed direct compliance costs on Indian tribal governments?**
  - **Yes:** Prepare tribal summary impact statement.
  - **No:** No analysis required.

- **Is the rule categorized as an environmental law?**
  - **Yes:** Prepare environmental assessment.
  - **No:** No analysis required.

#### National Environmental Policy Act (42 U.S.C. 4231-1437)

- **Does the rule contain provisions for which the use of voluntary standards is applicable?**
  - **Yes:** Adopt voluntary consensus standards or explain why.
  - **No:** No analysis required.

#### National Technology Transfer and Advancement Act (15 U.S.C. 272 note)

- **Does the rule regulate private property use for the protection of public health or safety?**
  - **Yes:** Prepare takings analysis.
  - **No:** No analysis required.

#### Governmental Actions and Interference with Constitutionally Protected Property Rights (E.O. 12630)

- **Does the rule regulate private property use for the protection of public health or safety?**
  - **Yes:** Prepare takings analysis.
  - **No:** No analysis required.

#### Protection of Children from Environmental Health Risks and Safety Risks (E.O. 13045)

- **Is the rule a “covered regulatory action”?**
  - **Yes:** Prepare analysis of the environmental health or safety effects on children.
  - **No:** No analysis required.

#### Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use (E.O. 13211)

- **Is the rule a “significant energy action”?**
  - **Yes:** Prepare statement of energy effects.
  - **No:** No analysis required.