

SMALL BUSINESS ADMINISTRATION**Small Business Size Standards:
Waiver of the nonmanufacturer rule****AGENCY:** Small Business Administration.**ACTION:** Notice of waiver of the nonmanufacturer rule for aluminum, sheet, plate, and foil manufacturing.

SUMMARY: The U.S. Small Business Administration (SBA) is granting a waiver of the Nonmanufacturer Rule for Aluminum, Sheet, Plate, and Foil Manufacturing. The basis for waivers is that no small business manufacturers are supplying these classes of products to the Federal government. The effect of a waiver would be to allow otherwise qualified regular dealers to supply the products of any domestic manufacturer on a Federal contract set aside for small businesses or awarded through the SBA 8(a) Program.

DATES: This waiver is effective on June 23, 2004.**FOR FURTHER INFORMATION CONTACT:**

Edith Butler, Program Analyst, by telephone at (202) 619-0422; by FAX at (202) 205-7280; or by e-mail at edith.butler@sba.gov.

SUPPLEMENTARY INFORMATION: Section 8(a)(17) of the Small Business Act, 15 U.S.C. 637(A)(17), requires that recipients of Federal contracts set aside for small businesses or SBA 8(a) Business Development Program provide the product of a small business manufacturer or processor, if the recipient is other than the actual manufacturer or processor. This requirement is commonly referred to as the Nonmanufacturer Rule. The SBA regulations imposing this requirement are found at 13 CFR 121.406 (b). Section 8(a)(17)(b)(iv) of the Act authorizes SBA to waive the Nonmanufacturer Rule for any "class of products" for which there are no small business manufacturers or processors in the Federal market.

As implemented in SBA's regulations at 13 CFR 121.1204, in order to be considered available to participate in the Federal market on these classes of products, a small business manufacturer must have submitted a proposal for a contract solicitation or received a contract from the Federal government within the last 24 months. The SBA defines "class of products" based on six digit coding systems. The first coding system is the Office of Management and Budget *North American Industry Classification System (NAICS)*. The second is the Product and Service Code established by the Federal Procurement Data System.

The SBA received a request on April 16, 2004 to waive the Nonmanufacturer

Rule for Aluminum, Sheet, Plate, and Foil Manufacturing. In response, on May 4, 2004, SBA published in the Federal Register a notice of intent to grant the waiver of the Nonmanufacturer Rule for Aluminum, Sheet, Plate, and Foil Manufacturing. SBA explained in the notice that it was soliciting comments and sources of small business manufacturers of this class of products. In response to this notice, no comments were received from any interested party. SBA has determined that there are no small business manufacturers of this class of products, and is therefore granting a waiver of the Nonmanufacturer Rule for Aluminum, Sheet, Plate, and Foil Manufacturing, NAICS 331315.

Dated: June 2, 2004.

Barry S. Meltz,

*Acting Associate Administrator for
Government Contracting.*

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DEPARTMENT OF TRANSPORTATION**Federal Highway Administration****Environmental Impact Statement: Los Angeles County, CA****AGENCY:** Federal Highway Administration (FHWA), DOT.**ACTION:** Notice of Intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement will be prepared for a proposed highway project in Los Angeles County, California.

FOR FURTHER INFORMATION CONTACT:

César Pérez, Team Leader—South Region, Federal Highway Administration, 650 Capitol Mall, Suite 4-100, Sacramento, California 95814, Telephone (916) 498-5065.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the California Department of Transportation (Caltrans) and the Alameda Corridor Transportation Authority (ACTA), will reinitiate environmental studies and prepare an Environmental Impact Statement (EIS) on a proposal to improve State Route 47 (SR-47) in Los Angeles County, California. The proposed improvement would involve replacing the seismically deficient Schuyler Heim bridge with a new fixed-span bridge and the construction/extension of SR-47 as a new four-lane elevated expressway from the new Heim bridge along Alameda Street to Pacific Coast Highway (State Route 1). The new fixed-span bridge would change the

current vertical and horizontal clearances through the Cerritos Channel. The elevated expressway would provide a direct route from Terminal Island to Alameda Street, resulting in the elimination of five at-grade railroad crossings and ultimately reduce truck traffic on Interstates 710 and 110.

During 2002, Caltrans and ACTA began formal public scoping and initiation of environmental studies for the proposed project. Notice letters were sent to federal, state and local agencies on January 28, 2002. Notices were prepared in the **Federal Register** and local newspapers, advertising public scoping and open house meetings, on February 13, 2002, at 2:30 p.m. and 4:30 p.m., respectively. Public comments were received until February 28, 2002. A review of subsequent environmental studies led the FHWA to conclude that an EIS would be required. Budgetary constraints then led Caltrans to temporarily suspend the project.

Major project elements to be evaluated in the EIS include: Replacement of the vertical-lift Schuyler Heim Bridge with a fixed-span bridge; construction of an elevated four-lane expressway to State Route 1; and, potential realignment of surface roads and ramps. The EIS will consider a variety of possible alignments for these improvements, as well as the "no-build" alternative.

Letters describing the re-initiation of studies and soliciting comments will be sent to appropriate Federal, State and local agencies and to private organizations and citizens who have previously expressed, or are known to have, an interest in this proposal. Additional public scoping meeting(s) for the EIS will be provided, as appropriate. Comments received during the prior scoping period (January 28 through February 28, 2002) will also be considered. In addition, a public hearing will be held following completion of the draft EIS. Public notice will be given of the time and place for the hearing. The draft EIS will be available for public and agency review and comments prior to the public hearing.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372