

to the to the extent practicable' language the corroboration requirement itself is not mandatory when not feasible.”). Therefore, we find that the estimated margin of 237.00 percent in the *Initiation Notice* has probative value. Consequently, in selecting a rate to apply as AFA with respect to BASF, we have applied the margin rate of 237.00 percent, the highest estimated dumping margin set forth in the *Initiation Notice*.

**All-Others Rate**

Section 735(c)(5)(B) of the Act provides that, where the estimated weighted–averaged dumping margins established for all exporters and producers individually investigated are zero or de minimis or are determined entirely under section 776 of the Tariff Act, the Department may use any reasonable method to establish the estimated all–others rate for exporters and producers not individually investigated. Our recent practice under these circumstances has been to assign as the all–others rate the simple average of the margins in the petition. *See, e.g., Notice of Final Determination of Sales at Less Than Fair Value and Affirmative Final Determination of Critical Circumstances: Glycine from Japan*, 72 FR 67271, 67272 (November 28, 2007). *See also Notice of Final Determination of Sales at Less Than Fair Value: Polyethylene Retail Carrier Bags From Malaysia*, 69 FR 34128, 34129 (June 18, 2004). Consistent with our practice, we used the rates in the petition that were considered in the Department’s initiation to calculate a simple average to be assigned as the all–others rate. That simple average, 150.82 percent, is derived from the following petition rates: 237.00 percent, 151.98 percent, 148.73 percent, and 65.58 percent. *See* Initiation Checklist at page 9.

**Preliminary Determination**

The weighted–average dumping margins are as follows:

Manufacturer/exporter	Margin (percent)
BASF AG .....	237.00
All Others .....	150.82

**Suspension of Liquidation**

In accordance with section 733(d)(2) of the Act, we are directing U.S. Customs and Border Protection (CBP) to suspend liquidation of all entries of sodium nitrite from Germany, that are entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**. We will instruct CBP to require a cash deposit or the posting of a bond equal to the weighted–average

dumping margin, as indicated in the chart above, as follows: (1) the rate for the firm listed above will be the rate we have determined in this preliminary determination; (2) if the exporter is not a firm identified in this investigation, but the producer is, the rate will be the rate established for the producer of the subject merchandise; (3) the rate for all other producers or exporters will be 237.00 percent. These suspension–of–liquidation instructions will remain in effect until further notice.

**ITC Notification**

In accordance with section 733(f) of the Act, we have notified the ITC of the Department’s preliminary affirmative determination. If the Department’s final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after our final determination whether imports of sodium nitrite from Germany are materially injuring, or threaten material injury to, the U.S. industry.

**Disclosure**

We will disclose the calculations used in our analysis to parties in this proceeding in accordance with 19 CFR 351.224(b).

**Public Comment**

Interested parties are invited to comment on the preliminary determination. Interested parties may submit case briefs to the Department no later than 30 days after the date of publication of the preliminary determination. *See* 19 CFR 351.309(c)(1)(i). Rebuttal briefs, the content of which is limited to the issues raised in the case briefs, must be filed within five days from the deadline date for the submission of case briefs. *See* 19 CFR 351.309(d)(1) and (2). A list of authorities used, a table of contents, and an executive summary of issues should accompany any briefs submitted to the Department. Executive summaries should be limited to five pages total, including footnotes. Further, we request that parties submitting briefs and rebuttal briefs provide the Department with a copy of the public version of such briefs on diskette.

In accordance with section 774 of the Act, the Department will hold a public hearing, if requested, to afford interested parties an opportunity to comment on arguments raised in case or rebuttal briefs, provided that such a hearing is requested by an interested party. If a request for a hearing is made in this investigation, the hearing will tentatively be held two days after the rebuttal brief deadline date at the U.S.

Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230, at a time and in a room to be determined. Parties should confirm by telephone, the date, time, and location of the hearing 48 hours before the scheduled date.

Interested parties who wish to request a hearing, or to participate in a hearing if one is requested, must submit a written request to the Assistant Secretary for Import Administration, U.S. Department of Commerce, Room 1870, within 30 days of the publication of this notice. Requests should contain: (1) the party’s name, address, and telephone number; (2) the number of participants; and (3) a list of the issues to be discussed. At the hearing, oral presentations will be limited to issues raised in the briefs.

We will not be conducting verification in this case because BASF failed to respond to the Department’s questionnaire, as discussed above in the “Use of Facts Otherwise Available” section of this notice. Therefore, the deadline for submission of factual information in 19 CFR 351.301(b)(1) is not applicable. Thus, the deadline for submission of factual information in this investigation will be seven days after the date of publication of this notice.

This determination is issued and published pursuant to sections 733(f) and 777(i)(1) of the Act.

Dated: April 16, 2008.  
**David M. Spooner**,  
*Assistant Secretary for Import Administration.*  
 [FR Doc. E8–8836 Filed 4–22–08; 8:45 am]  
**BILLING CODE 3510–DS–S**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**RIN 0648–XH05**

**U.S. Climate Change Science Program Synthesis and Assessment Product Draft Report 5.2 “Best Practice Approaches for Characterizing, Communicating, and Incorporating Scientific Uncertainty in Decisionmaking”**

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

**ACTION:** Notice of availability and request for public comments.

**SUMMARY:** The National Oceanic and Atmospheric Administration publishes this notice to announce a 45-day public comment period for the draft report

titled, U.S. Climate Change Science Program Synthesis and Assessment Product 5.2 “Best practice approaches for characterizing, communicating, and incorporating scientific uncertainty in decisionmaking.”

This draft report is being released solely for the purpose of pre-dissemination peer review under applicable information quality guidelines. This document has not been formally disseminated by NOAA. It does not represent and should not be construed to represent any Agency policy or determination. After consideration of comments received on the draft report, a revised version along with the comments received will be published on the CCSP web site.

**DATES:** Comments must be received by June 9, 2008.

**ADDRESSES:** The draft Synthesis and Assessment Product: 5.2 is posted on the CCSP Web site at:

<http://www.climatescience.gov/Library/sap/sap5-2/default.php>

Detailed instructions for making comments on this draft report are provided at the CCSP link. Comments must be prepared in accordance to these instructions and must be submitted to:

[5.2-uncertainties@climatescience.gov](mailto:5.2-uncertainties@climatescience.gov)

**FOR FURTHER INFORMATION CONTACT:** Dr. Fabien Laurier, Climate Change Science Program Office, 1717 Pennsylvania Avenue, NW, Suite 250, Washington, DC 20006, Telephone: (202)419-3481.

**SUPPLEMENTARY INFORMATION:** The CCSP was established by the President in 2002 to coordinate and integrate scientific research on global change and climate change sponsored by 13 participating departments and agencies of the U.S. Government. The CCSP is charged with preparing information resources that promote climate-related discussions and decisions, including scientific synthesis and assessment analyses that support evaluation of important policy issues.

Dated: April 8, 2008.

**William J. Brennan,**

*Deputy Assistant Secretary of Commerce for International Affairs, and Acting Director, Climate Change Science Program.*

[FR Doc. E8-8829 Filed 4-22-08; 8:45 am]

**BILLING CODE 3510-12-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XH02

#### Endangered and Threatened Species; Recovery Plans

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration, Commerce.

**ACTION:** Notice of Availability; request for comments.

**SUMMARY:** The National Marine Fisheries Service (NMFS) announces that the Proposed Lake Ozette Sockeye Salmon Recovery Plan (Plan) is available for public review and comment. The Plan addresses the Lake Ozette Sockeye Salmon (*Oncorhynchus nerka*) Evolutionarily Significant Unit (ESU), which spawns in Lake Ozette and its tributaries, on the Olympic Peninsula at the western edge of Washington State. NMFS is soliciting review and comment from the public and all interested parties on the Proposed Plan.

**DATES:** NMFS will consider and address all substantive comments received during the comment period. Comments must be received no later than 5 p.m. Pacific daylight time on June 23, 2008.

**ADDRESSES:** Please send written comments and materials to Rosemary Furfey, National Marine Fisheries Service, 1201 N.E. Lloyd Blvd, Suite 1100, Portland, OR 97232. Comments may also be submitted by e-mail to: [OzettePlan.nwr@noaa.gov](mailto:OzettePlan.nwr@noaa.gov). Include in the subject line of the e-mail comment the following identifier: Comments on Lake Ozette Sockeye Plan. Comments may be submitted via facsimile (fax) to 503-872-2737.

Persons wishing to review the Plan can obtain an electronic copy (i.e., CD-ROM) from Sharon Houghton by calling 503-230-5418 or by e-mailing a request to [sharon.houghton@noaa.gov](mailto:sharon.houghton@noaa.gov) with the subject line “CD-ROM Request for Lake Ozette Sockeye Plan.” Electronic copies of the Plan are also available on-line on the NMFS website [www.nwr.noaa.gov/Salmon-Recovery-Planning/ESA-Recovery-Plans/Draft-Plans.cfm](http://www.nwr.noaa.gov/Salmon-Recovery-Planning/ESA-Recovery-Plans/Draft-Plans.cfm)

**FOR FURTHER INFORMATION CONTACT:** Rosemary Furfey, NMFS Lake Ozette Salmon Recovery Coordinator at 503-231-2149, or Elizabeth Gaar, NMFS Salmon Recovery Division at 503-230-5434.

**SUPPLEMENTARY INFORMATION:**

## Background

Recovery plans describe actions beneficial to the conservation and recovery of species listed under the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531 *et seq.*). The ESA requires that recovery plans incorporate: (1) objective, measurable criteria which, when met, would result in a determination that the species is no longer threatened or endangered; (2) site-specific management actions necessary to achieve the plan's goals; and (3) estimates of the time required and costs to implement recovery actions. The ESA requires the development of recovery plans for each listed species unless such a plan would not promote its recovery.

NMFS is responsible for developing and implementing ESA recovery plans for listed salmon and steelhead. In so doing, NMFS' goal is to restore endangered and threatened Pacific salmonids to the point that they are again self-sustaining members of their ecosystems and no longer need the protections of the ESA. NMFS believes it is critically important to base its recovery plans on the many state, regional, tribal, local, and private conservation efforts already underway throughout the region. This Plan is the product of a collaborative process initiated by NMFS and involving the participation and contributions of a wide group of private and governmental entities, citizens, and sovereigns (tribes) with the potential to contribute to recovery. In 2005, NMFS and the Lake Ozette Steering Committee (Steering Committee), an existing, locally based citizen group, began working together to write a draft recovery plan for Lake Ozette sockeye salmon. The goal was to produce a plan that meets ESA requirements for recovery plans as well as the State of Washington's recovery planning outline and guidance ([www.governor.wa.gov/gsro/default/htm](http://www.governor.wa.gov/gsro/default/htm)).

The Steering Committee has met periodically since 1981 to discuss natural resource issues related to sockeye salmon. The Steering Committee is made up of representatives from the Makah and Quileute Tribes, Olympic National Park, Clallam County, local land owners, Washington Governor's Salmon Recovery Office, Washington Department of Fish and Wildlife, Washington Department of Natural Resources, NMFS, U.S. Environmental Protection Agency, North Olympic Peninsula Lead Entity, private timber companies, and local citizens.