

disability and presumptive blindness by field office personnel under the supplemental security income (SSI) program. However, a number of regulations promulgated since the issuance of the Ruling and published at 56 FR 65682 (1991) and 58 FR 36059 (1993) have updated the presumptive disability and presumptive blindness provisions discussed in SSR 80-36. These regulations revised and expanded the procedures for making findings of presumptive disability to include additional categories of impairments, e.g., claims based on human immunodeficiency virus infection of listing-level severity. In addition, the time period for the payment of SSI benefits based on a finding of presumptive disability and presumptive blindness was expanded from 3 months, as stated in SSR 80-36, to 6 months by section 5038 of Pub. L. 101-508. Consequently, SSR 80-36, which was issued prior to these regulations and statutory changes, is now obsolete and is rescinded.

(Catalog of Federal Domestic Assistance, Program 93.807, Supplemental Security Income.)

Dated: February 1, 1995.

**Shirley S. Chater,**

*Commissioner of Social Security.*

[FR Doc. 95-3242 Filed 2-8-95; 8:45 am]

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### **Rescission of Social Security Ruling (SSR) 89-5p, Title XVI: Treatment of Installment Sales Contract in Home Replacement Situations**

**AGENCY:** Social Security Administration, HHS.

**ACTION:** Notice.

**SUMMARY:** The Commissioner of Social Security gives notice of the rescission of SSR 89-5p.

**EFFECTIVE DATE:** February 9, 1995.

**FOR FURTHER INFORMATION CONTACT:**

Joanne K. Castello, Division of Regulations and Rulings, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235, (410) 965-1711.

**SUPPLEMENTARY INFORMATION:** Social Security Rulings make available to the public precedential decisions relating to the Federal old-age, survivors, disability, supplemental security

income, and black lung benefits programs. Social Security Rulings may be based on case decisions made at all administrative levels of adjudication, Federal court decisions, Commissioner's decisions, opinions of the Office of the General Counsel, and other policy interpretations of the law and regulations.

In September 1989, the Social Security Administration (SSA) changed its national practice regarding the treatment of promissory notes or similar installment sales contracts in home replacement situations and published SSR 89-5p (C.E., 1989, p. 71), effective September 6, 1989. The Ruling explained that the value of an installment sales contract that met certain conditions constituted a "proceed" from the sale of an excluded home and could be excluded from resources under the supplemental security income program. 20 CFR 416.1212(d). In addition to the value of the installment sales contract itself, any money proceeds of the sale of the home, including a down payment and the portion of any installment amount constituting payment against the principal, could be excluded resources under the conditions specified in the Ruling.

SSA regulations published on August 23, 1994, at 59 FR 43283, codify SSR 89-5p and reflect more completely SSA's policy on the treatment of proceeds from the sale of an excluded home. Consequently, SSR 89-5p is obsolete and is rescinded.

(Catalog of Federal Domestic Assistance, Program 93.807, Supplemental Security Income.)

Dated: February 1, 1995.

**Shirley S. Chater,**

*Commissioner of Social Security.*

[FR Doc. 95-3241 Filed 2-8-95; 8:45 am]

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## **DEPARTMENT OF THE INTERIOR**

### **Bureau of Land Management**

[NV-060-1990-01; N64-94-008P]

#### **Notice of Intent to Prepare an Environmental Impact Statement for the Phoenix Project Mining Plan of Operation**

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of Intent to prepare an Environmental Impact Statement for the Battle Mountain Gold Company Phoenix Project Plan of Operation for mining in Lander County, Nevada and notice of scoping period and public meetings.

**SUMMARY:** Pursuant to section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969 as amended, and to 43 CFR Part 3809, the Bureau of Land Management (BLM) will be directing the preparation of an Environmental Impact Statement for the proposed development of a new mill facility, expanded heap leaching and tailings impoundment in Lander County, Nevada. The EIS will be prepared by contract and funded by the proponent, Battle Mountain Gold Company. The BLM invites comments and suggestions on the scope of the analysis.

**DATES:** Scoping meetings will be held on February 27, 1995, from 7-9 p.m. at the Battle Mountain District BLM Office conference room, 50 Bastian Rd., in Battle Mountain, Nevada; and on February 28, 1995, from 7-9 p.m. at the Airport Plaza Hotel, 1981 Terminal Way, in Reno, Nevada. The purposes of these meetings are to identify issues to be addressed in the EIS, and to encourage public participation in the NEPA process. Representatives of the BLM and Battle Mountain Gold Company will be summarizing the Plan of Operations and the anticipated environmental impacts resulting from the project and will be accepting comments from the audience. Additional briefing meetings will be held as appropriate. Written comments on the Plan of Operation and the scope of the EIS will be accepted until April 14, 1995. A Draft EIS is expected to be completed by November of 1995, at which time the document will be made available for public review and comment.

**ADDRESSES:** Scoping comments may be sent to: BLM, Lynn Pettit, Phoenix Project EIS Project Manager, Battle Mountain District Manager, 50 Bastian Rd., P.O. Box 1420, Battle Mountain, NV 89820.

**FOR FURTHER INFORMATION CONTACT:**

Lynn Pettit, Project Manager, at (702) 635-4000.

**SUPPLEMENTARY INFORMATION:** Battle Mountain Gold Mining Company has recently submitted a proposal to develop a mining facility at the south end of the Battle Mountain Range, in Lander County, Nevada, approximately 15 miles southwest of Battle Mountain. The proposed mining development will involve an expansion of the current heap leaching and tailings facilities, and a new mill. One extracted from proposed open pits will be processed for gold recovery by milling and heap leaching processes. Dewatering will be necessary in order to mine several of the proposed open pits. To prevent anticipated pit lake quality problems due to the composition of the host rock in one of the pits, Battle Mountain Gold is proposing a permanent ground water conveyance system that would begin at an entry way within the pit, travel downgradient through an underground drainage system to a portal opening and from there travel via an above ground channel to a location that would serve as an infiltration basin and/or wetland. The majority of the waste rock will be partially, or completely, backfilled into open pits and used to cap existing copper leach run-of-mine dumps. The total land disturbance (private + public) over the life of the mine could reach 1,909 acres. Land previously disturbed by mining related activity would make up 1,278 of these acres.

Potentially significant and significant direct, indirect, cumulative and residual impacts from the proposal will be analyzed in the EIS. Significant issues to be addressed in the EIS include those relating to air quality, surface and ground water resources, geochemistry, reclamation, and social and economic values, and cumulative impacts. Additional significant issues to be addressed may arise during the scoping process. Federal, state, and local agencies and other individuals or organizations who may be interested in or affected by the BLM's decision on this plan of operation are invited to participate in the scoping process.

Dated: January 30, 1995.

**Michael C. Mitchel,**

*Acting District Manager.*

[FR Doc. 95-3275 Filed 2-8-95; 8:45 am]

BILLING CODE 4310-HC-M

[ID-056-1610-00]

**Notice of Intent to Prepare a Supplement to the Draft Environmental Impact Statement for the Bennett Hills Draft Resource Management Plan and Amendment to the Jarbridge Resource Management Plan, Idaho**

**AGENCY:** Bureau of Land Management; Interior.

**ACTION:** The Shoshone District Bureau of Land Management announces the intent to prepare a supplement to the Bennett Hills Draft Resource Management Plan/Draft Environmental Impact Statement, and Amendment to the Jarbridge Resource Management Plan.

**SUMMARY:** Pursuant to 40 CFR 1502.9(c) implementing the *National Environmental Policy Act of 1969*, the Bureau of Land Management's Idaho State Director has determined the need to prepare a supplement to the Draft Environmental Impact Statement for the Bennett Hills Draft Resource Management Plan issued for public comment on April 1, 1994. This action is taken to allow the agency to fully consider and incorporate comments received on the draft.

**DATES:** No date has been set for the release of the Supplement. Notification of release will be made in the **Federal Register** and local news media. The Supplement will be circulated for an additional 90-day public comment period.

**FOR FURTHER INFORMATION CONTACT:**

Project Manager William H. West, Shoshone District Bureau of Land Management, P.O. 2-B, Shoshone, Idaho 83352, telephone (208) 886-7203.

**SUPPLEMENTARY INFORMATION:** On September 20, 1990, the Shoshone District Bureau of Land Management published a Notice of Intent to prepare a Draft Resource Management Plan/Draft Environmental Impact Statement for the Bennett Hills Resource Area. On March 25, 1992, the Boise District of the Bureau of Land Management published a Notice of Intent to prepare an Amendment to the Jarbridge Resource Management Plan to be incorporated in the Draft Environmental Impact Statement for the Bennett Hills Draft Resource Management Plan. On April 1, 1994, a Notice of Availability of the Draft Environmental Impact Statement was published in the **Federal Register** and the public was invited to comment.

The public comment period ended on July 1, 1994, with 170 comment letters received containing over 400 individual comments. The comments identified new actions, standards and guidelines not contained in the Draft. The

comments include specific suggestions for livestock management prescriptions in riparian areas, proposals for new Areas of Critical Environmental Concern, and land exchanges to accommodate recent community expansion needs that were not contained or analyzed in the Draft.

The comments also provided clarity and focus to the public's desires and needs not found in the original scoping for the Draft in 1990. At the time of the original scoping, five open houses were held at different locations in the valley; however, less than 30 people attended and, despite concerted efforts to solicit public opinion, only 66 total comments were received during the formal scoping period. The scoping comments were very broad in nature and often dealt with general BLM policy questions not directed toward actions within the jurisdiction of the RMP. Comments received on the Draft were directed toward management actions on the planning area and within the scope of a Resource Management Plan decision. Additionally, because of the long lag time from the scoping to the publication of the Draft, the public's wishes for management of the public land had changed.

Dated: January 31, 1995.

**Robert D. Cordell,**

*Area Manager, Bennett Hills Resource Area.*

[FR Doc. 95-3274 Filed 2-8-95; 8:45 am]

BILLING CODE 4310-GG-M

[CO-056-1430-00]

**Seasonal Road Closure**

**AGENCY:** Bureau of Land Management, Interior.

**SUMMARY:** Notice is hereby given in accordance with 43 CFR 8364.1(a) Closure and Restriction. Pursuant to 43 CFR 8364.1 the following Bureau of Land Management (BLM) roads in Conejos, Rio Grande, and Saquache Counties will be temporarily closed to motorized vehicle use to protect roads and fragile resources during the wet conditions of the spring thaw.

*Conejos County:* Cumbres Toltec Rd. (#5035), Bighorn Rd. (#5041), Las Mestas Rd. (#5048), Poso Loop Rd. (#5046), RaJadero Rd. (#5065), Posito Creek Rd. (#5075), Capulin Peak Rd. (#5060) and Cinder Pits Rd. (#5055).

*Rio Grande County:* Bronson Peak Rd. (#5100), Spring Gulch Rd. (#5105), and the Nine Mile Road access onto BLM Rd. #5100.

*Saquache County:* Poncha Loop Rd. (#5325), Clover Creek Rd. (#5330), Dorsey Creek Rd. (#5331), Noland Gulch Loop Rd. (#5305), Clayton Cone Rd.