

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 Consequently, SSR 80-36, which was issued prior to these regulations and statutory changes, is now obsolete and is rescinded.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.

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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.