XXXI. Modification

107. Schedules specified in this Consent Decree for completion of the Work may be modified by agreement of EPA and the Settling Defendants. All such modifications shall be made in writing.

108. Except as provided in Paragraph 14 (''Modification of the SOW or related Work Plans''), no material modifications shall be made to the SOW without written notification to and written approval of the United States, Settling Defendants, and the Court. Prior to providing its approval to any modification, the United States will provide the State with a reasonable opportunity to review and comment on the proposed modification. Modifications to the SOW that do not materially alter that document may be made by written agreement between EPA, after providing the State with a reasonable opportunity to review and comment on the proposed modification, and the Settling Defendants.

109. Nothing in this Decree shall be deemed to alter the Court's power to enforce, supervise or approve modifications to this Consent Decree.

XXXII. Lodging and Opportunity for Public Comment

110. This Consent Decree shall be lodged with the Court for a period of not less than thirty (30) days for public notice and comment in accordance with Section 122(d)(2) of CERCLA, 42 U.S.C. 9622(d)(2), and 28 CFR 50.7. The United States reserves the right to withdraw or withhold its consent if the comments regarding the Consent Decree disclose facts or considerations which indicate that the Consent Decree is inappropriate, improper, or inadequate. Settling Defendants consent to the entry of this Consent Decree without further notice.

111. If for any reason the Court should decline to approve this Consent Decree in the form presented, this agreement is voidable at the sole discretion of any Party and the terms of the agreement may not be used as evidence in any litigation between the Parties.

XXXIII. Signatories/Service

112. Each undersigned representative of a Settling Defendant to this Consent Decree and the Assistant Attorney General for Environment and Natural Resources of the Department of Justice certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Decree and to execute and legally bind such Party to this document.

113. Each Settling Defendant hereby agrees not to oppose entry of this Consent Decree by this Court or to challenge any provision of this Consent Decree unless the United States has notified the Settling Defendants in writing that it no longer supports entry of the Consent Decree.

114. Each Settling Defendant shall identify, on the attached signature page, the name, address and telephone number of an agent who is authorized to accept service of process by mail on behalf of that Party with respect to all matters arising under or relating to this Consent Decree. Settling Defendants hereby agree to accept service in that manner and to waive the formal service requirements set forth in Rule 4 of the Federal Rules of Civil Procedure and any applicable local rules of this Court, including, but not limited to, service of a summons.

SO ORDERED THIS ____ DAY OF _____, 19____ .

_____
United States District Judge

THE UNDERSIGNED PARTIES enter into this Consent Decree in the matter of United States v. _____, relating to the _____ Superfund Site.

FOR THE UNITED STATES OF AMERICA

Date: _____

_____
[Name]
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice
Washington, D.C. 20530

_____
[Name]
Environmental Enforcement Section
Environment and Natural Resources Division
U.S. Department of Justice
Washington, D.C. 20530

_____
[Name]
Assistant United States Attorney
_____District of _____
U.S. Department of Justice
[Address]

[_____] _____
[Name]
Assistant Administrator for Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
401 M Street, S.W.
Washington, D.C. 20460
[WHERE OECA CONCURRENCE REQUIRED]

[_____] _____
[Name]
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
401 M Street, S.W.
Washington, D.C. 20460
[WHERE OECA CONCURRENCE REQUIRED OR OECA ATTORNEY IS PART OF NEGOTIATION TEAM]

_____
[Name]
Regional Administrator, Region ____
U.S. Environmental Protection Agency
[Address]

_____
[Name]
Assistant Regional Counsel
U.S. Environmental Protection Agency
Region ____
[Address]

United States v. _____
Consent Decree Signature Page
FOR THE STATE OF _____
Date:_____ _____

_____
[Name]
[Title]
[Address]

THE UNDERSIGNED PARTY enters into this Consent Decree in the matter of United States v. _____, relating to the _____ Superfund Site.

FOR _____ COMPANY, INC. *
Date: _____

_____
[Name—Please Type]
[Title—Please Type]
[Address—Please Type]

Agent Authorized to Accept Service on Behalf of Above-signed Party:

Name: [Please Type] _____
Title: _____
Address: _____
Tel. Number: _____

[FR Doc. 95–18482 Filed 7–27–95; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL RESERVE SYSTEM

Robert T. Heath; Change in Bank Control Notice

Acquisition of Shares of Banks or Bank Holding Companies

The notificant listed below has applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notice is available for immediate inspection at the Federal Reserve Bank indicated. Once the notice has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for the notice or to the offices of the Board of Governors. Comments must be received not later than August 11, 1995.

*A separate signature page must be signed by each corporation, individual or other legal entity that is settling with the United States.

A. Federal Reserve Bank of St. Louis (Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

1. Robert T. Heath, individually and as trustee for the Pennington/Heath Trust, Sebastian, Florida; to vote at least 57 percent of of the voting shares of First National Bancshares of Newton, Inc., Newton, Illinois, and thereby indirect control First National Bank in Newton, Newton, Illinois.

Board of Governors of the Federal Reserve System, July 24, 1995.

Jennifer J. Johnson,

Deputy Secretary of the Board.

[FR Doc. 95–18566 Filed 7–27–95; 8:45 am]

BILLING CODE 6210–01–F

National Australia Bank Limited; Formation of, Acquisition by, or Merger of Bank Holding Companies; and Acquisition of Nonbanking Company

The company listed in this notice has applied under § 225.14 of the Board's Regulation Y (12 CFR 225.14) for the Board's approval under section 3 of the Bank Holding Company Act (12 U.S.C. 1842) to become a bank holding company or to acquire voting securities of a bank or bank holding company. The listed company has also applied under § 225.23(a)(2) of Regulation Y (12 CFR 225.23(a)(2)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to acquire or control voting securities or assets of a company engaged in nonbanking activities that the Board has determined to be closely related to banking and permissible for bank holding companies, or to engage in such activities. Unless otherwise noted, these activities will be conducted throughout the United States.

The application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether consummation of the proposal can ''reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices.'' Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Comments regarding the application must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than August 24, 1995.

A. Federal Reserve Bank of Chicago (James A. Bluemle, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. National Australia Bank Limited, Melbourne, Australia, National Equities Limited, Melbourne, Australia, National Australia Group (UK) Limited, London, England, National Americas Holdings Limited, London, England, and MNC Acquisition Co., Melbourne, Australia; to become bank holding companies by acquiring 100 percent of the voting shares of Michigan National Corporation, Farmington Hills, Michigan (MNC), and thereby indirectly acquire Michigan National Bank, Farmington Hills, Michigan, and Bloomfield Hills Bancorp, Inc., Bloomfield Hills, Michigan, and its subsidiary, Bank of Bloomfield Hills, Bloomfield Hills, Michigan.

In connection with this application, Applicant also has applied to acquire Independence One Capital Management Corp., Farmington Hills, Michigan, and thereby engage in providing discretionary and nondiscretionary investment advice, pursuant to § 225.25(b)(4) of the Board's Regulation Y; MNC Leasing Company, Detroit, Michigan, and thereby engage in leasing real and personal property and equipment, pursuant to § 225.25(b)(5) of the Board's Regulation Y; Independence One Life Insurance Company, Phoenix, Arizona, and thereby engage in underwriting reinsurance of credit life and credit disability risk, pursuant to § 225.25(b)(8)(i) of the Board's Regulation Y; Michigan Bank, F.S.B., Troy, Michigan, and thereby engage in operating a savings association, pursuant to § 225.25(b)(9) of the Board's Regulation Y; and Independence One Asset Management Corporation, Irvine, California, and thereby engage in providing asset management, servicing and collection activities, pursuant to Board Order. Applicant also has applied to exercise an option to acquire up to 19.9 percent of the voting shares of MNC.

Board of Governors of the Federal Reserve System, July 24, 1995.

Jennifer J. Johnson,

Deputy Secretary of the Board.

[FR Doc. 95–18570 Filed 7–27–95; 8:45 am]

BILLING CODE 6210–01–F

National City Bancshares, Inc.; Acquisition of Company Engaged in Permissible Nonbanking Activities

The organization listed in this notice has applied under § 225.23(a)(2) or (f) of the Board's Regulation Y (12 CFR 225.23(a)(2) or (f)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to acquire or control voting securities or assets of a company engaged in a nonbanking activity that is listed in § 225.25 of Regulation Y as closely related to banking and permissible for bank holding companies. Unless otherwise noted, such activities will be conducted throughout the United States.

The application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether consummation of the proposal can ''reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices.'' Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Comments regarding the application must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than August 11, 1995.

A. Federal Reserve Bank of St. Louis (Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

1. National City Bancshares, Inc., Evansville, Indiana; to engage, through United Federal Savings Bank, Vincennes, Indiana, in acting as agent in the sale of credit life, mortgage life, and