



STATE OF CONNECTICUT

V.

SUMMIT CORPORATION OF AMERICA

CONSENT ORDER No. CO WR IN 15 001

Date of Issuance: 5/24/2019

A. With the agreement of Summit Corporation of America ("the Respondent"), the Commissioner of the Department of Energy and Environmental Protection ("the Commissioner", "the Department") finds:

1. The Respondent is a corporation which is or has been engaged in metal finishing operations at 1430 Waterbury Road, Thomaston, Connecticut ("the site").
2. On December 21, 2007, the Commissioner reissued National Pollutant Discharge Elimination System Permit No. CT0001180 ("the Permit") to the Respondent for discharges to the Naugatuck River from the activities described above.
3. On June 19, 2012, the Respondent submitted a timely application to renew the Permit, therefore, the Permit is continued in effect.
4. The Permit established a pH range of 6.0 to 9.0 S.U. for the final effluent, Discharge Serial Number 001-1 ("DSN 001-1"), in keeping with federal regulatory limitations applicable to metal finishers, 40CFR433.
5. From January 2008 to July 2014, the Respondent discharged wastewater that exceeded pH effluent limitations in the Permit for DSN 001-1 on numerous occasions. The months that contained pH exceedances are identified in Attachment A. These pH exceedances are violations of Section 5 of the Permit and Section 22a-430-3(d) of the Regulations of Connecticut State Agencies ("RCSA").
6. From January 2008 to June 2014, the Respondent failed to properly report pH values described in paragraph A. 5., above, on the self-reported, monthly Discharge Monitoring Reports ("DMRs") required by the Permit. This is a violation of Section 8 of the Permit and RCSA Section 22a-430-3(j).
7. From January 2008 to June 2014, the Respondent failed to properly notify the Commissioner of the pH violations described above in paragraph A.5. This is a violation of Section 8 of the Permit and RCSA Section 22a-430-3(j).

8. The Respondent failed to retain pH effluent monitoring data records for five years as required by RCSA Section 22a-430-3(j)(9)(B) for the following periods: May 16, 2010 to December 31, 2010, January 1, 2011 to July 10, 2011 and July 25, 2011 to July 30, 2011.
9. The Respondent failed to operate & maintain wastewater treatment and monitoring systems as required by RCSA Section 22a-430-3(f)(1). Specifically, the Respondent had a malfunctioning high pH alarm at the final weir from February 19, 2013 to April 7, 2014. The Department was notified on May 5, 2014 that the alarm was replaced on April 9, 2014 with an audio alarm and a strobe light. In addition, the Respondent had malfunctioning equipment from February 2012 to April 2012, which resulted in no pH data from the final discharge pH probe for that period.
10. On June 20, 2014, the Respondent discharged wastewater that exceeded pH effluent limitations for DSN 001-1 of the Permit, reportedly due to a solenoid valve failure that allowed an uncontrolled discharge of acid into the wastewater treatment system. The pH exceedance continued for two hours and fifty-five minutes and the pH was reported as low as 2.8 S.U.
11. The June 20, 2014 pH exceedance is a violation of Section 5 of the Permit and RCSA Section 22a-430-3(d). The Respondent did not provide timely notification to the Commissioner of the violation; notification was provided on July 23, 2014. Untimely notification is a violation of Section 8 of the Permit and RCSA Section 22a-430-3(j). This violation is in addition to those cited in Attachment A.
12. On certain occasions, the Respondent discharged wastewater that exceeded effluent limitations for total and amenable cyanide, total lead, total nickel, total fluoride, total nitrogen and total silver in DSN 001-1 of the Permit. The exceedances are identified in Attachment A. Such exceedances are violations of Section 5 of the Permit and RCSA Section 22a-430-3(d).
13. The Respondent made modifications to the wastewater collection and treatment system beyond those authorized by the Commissioner in an approval letter dated August 11, 2014, which was issued in response to their Application No. 201407686 submitted under RCSA Section 22a-430-3(i). Specifically, the Respondent removed certain tin/lead and tin waste streams from the tin/lead treatment/recovery system, resulting in a bypass of required treatment. The bypass of required treatment occurred from September through December 2014, in violation of RCSA Section 22a-430-3(k) of the RCSA.
14. In April 2014, from October 2014 to December 2015, and July and August 2016, the Respondent discharged wastewater which exceeded effluent limitations for aquatic toxicity in DSN 001-1 of the Permit. Exceedances are described in Attachment A. These are violations of Section 5, Table D and Section 6(B) of the Permit and RCSA Section 22a-430-3(d).

15. The Department issued the following Notices of Violation to the Respondent:

- a. NOVWRIN12009 was issued on April 3, 2012 for a pH violation based on a grab sample collected by the Department during an inspection, and for failure to report pH properly on the January 2012 DMR. This NOV was closed on October 17, 2012;
- b. NOVWRIN12020 was issued on August 27, 2012 for a nickel violation based on a grab sample collected by the Department during an inspection. This NOV was closed on October 17, 2012;
- c. FNOVWRIN14403 was issued on April 7, 2014 for a pH violation and for the failure of the high pH alarm, which were noted during a Department inspection. This NOV was closed on May 9, 2018;
- d. NOVWRIN14015 was issued on June 19, 2014 for a lead violation based on a grab sample collected by the Department during an inspection. The NOV also summarized effluent violations cited above that were based on grab samples taken by the Department during previous inspections and required Respondent to evaluate the wastewater treatment system configuration. The NOV also required Respondent to revise and resubmit all pH data reported on DMRs since the Permit was issued in 2007. This NOV was closed on May 9, 2018;
- e. NOVWRIN14017 was issued on August 28, 2014 for a nickel violation based on a grab sample collected by the Department during an inspection. This NOV was administratively closed on May 8, 2018.
- f. NOVWRIN17030 was issued on December 4, 2017 for leakage and discharge of boiler room wastewaters to the Naugatuck River without treatment under Respondent's Permit. This NOV was closed on August 29, 2018.

16. The Respondent failed to operate & maintain wastewater treatment and monitoring systems as required by RCSA Section 22a-430-3(f)(1). Specifically, the Respondent had an incorrect weir angle setting for the flow meter (45 degrees instead of 90 degrees) from approximately May 8, 2012 through May 12, 2016. Respondent self-reported the incorrect setting on May 12, 2016 and submitted written reports on the progress of their investigation. The Respondent's final report, dated June 24, 2016, summarized their findings, included corrected effluent monitoring data, and identified exceedances of mass-based effluent limitations in DSN 001-1 of the Permit. These exceedances are incorporated into the listings in paragraph A.11 and in Attachment A.

17. From approximately May 8, 2012 through May 12, 2016, the Respondent failed to properly report the volume of the discharge and the mass loading of certain pollutants on the self-reported, monthly DMRs required by the Permit. The Respondent also failed to promptly notify the Commissioner of certain exceedances of mass-based effluent limitations; such exceedances were reported in the June 24, 2016 report

described in preceding paragraph. This is a violation of Section 8 of the Permit and RCSA Section 22a-430-3(j).

18. On July 5, 2016, the Department performed an inspection of the Respondent's facility. Based on the findings of that inspection, the Respondent's facility had piping and floor drains from two boiler rooms that allowed the following wastewaters to discharge to the wastewater treatment system and ultimately to the Naugatuck River: boiler blowdown from the expansion tank, boiler blowdown expansion tank by-pass, manual return water tank drain, return water tank overflow and water softener backflush. These wastewaters were not identified in the Permit or its application and, as described in the report submitted to the Department on December 9, 2016, were therefore discharged without a permit, in violation of Section 22a-430 of the Connecticut General Statutes ("CGS"). The Respondent's December 9th submittal included detailed information about these wastewaters to update the Permit's renewal application. Subsequent observations of steam in a storm sewer catch basin led to Respondent's November 10, 2017 notification to the Department reporting the suspected release of boiler room wastewaters to the storm sewer and the Naugatuck River, as well as related submittals to the Department on November 15 and 17, 2017. On January 3 and June 22, 2018, Respondent submitted letter reports responding to the Department's December 4, 2017 Notice of Violation No. NOVWRIN17030, describing Respondent's investigations identifying the source of leaks and piping connections that allowed certain boiler room wastewaters to enter into storm sewers without treatment under Respondent's Permit and the corrective actions completed by Respondent in response to the discovery of these discharges.
19. The Respondent performed a Toxicity Identification Evaluation/Toxicity Reduction Evaluation ("TIE/TRE") as required by Section 9 of the Permit and RCSA Section 22a-430-3(j)(10)(C), as follows:
 - a. A TIE/TRE Work Plan was submitted in December 2014;
 - b. Three rounds of testing were conducted in January, February and March 2015 and summarized in a report entitled "Toxicity Reduction Evaluation: Toxicity Identification Evaluation and the Identification of All Sources of Aquatic Toxicity (FSS, April 22, 2015);
 - c. Treatability studies were performed in May and June of 2015 to investigate alternative treatment chemistries, as outlined in a report submitted to the Department on May 26, 2015, and to further assess treatment alternatives and propose pilot treatment system modifications, as described in supplemental reports submitted to the Department on June 26, 2015 and July 17, 2015;
 - d. Based on the results of the treatability studies, a pilot study plan and an application for approval for related wastewater treatment system modifications was submitted to the Department in September, for which the Department issued an approval on October 16, 2015;

- e. The approved modifications were completed on January 11, 2016;
- f. Sampling was performed in February, March and April 2016 to assess the efficacy of the modifications to the wastewater treatment system undertaken pursuant to the pilot study. A May 10, 2016 status report, submitted by the Respondent's consultant, shows that all sample results during the pilot study were compliant with the Permit's effluent limitations, with a noted reduction in the concentration of metals. Based on the results of the pilot study, the status report recommended permanent changes to the wastewater treatment system and stated that a request for Departmental approval of those changes under Section 22a-430-3(i) of the RCSA would be prepared.
- g. On June 28, 2016, the Respondent submitted Application No. 201608020, seeking approval under RCSA Section 22a-430-3(i) to make permanent modifications to the wastewater treatment system based on the pilot testing results. The work was projected to be completed in late August 2016, however, the Respondent requested an extension until November 15, 2016, which was granted by the Department.
- h. On July 22, 2016, the Department issued an approval to make the modifications requested in Application No. 201608020, which required the following submittals within five (5) days of project completion: 1) a detailed summary of the modifications that were made relative to the subject application, and all final plans and specifications, and a certification to the approved modifications; 2) all application materials that are required to be revised as a result of undertaking the project; and 3) the updated Operation and Maintenance Plan. Respondent was granted an extension until March 21, 2017 to provide the submittals listed above. The Department received the submittals on March 17, 2017.
- i. On November 14 and December 9, 2016, the Respondent submitted addenda to their TIE/TRE, to report on the project status, document their investigation and corrective actions related to failure to meet the limitations for aquatic toxicity in July and August 2016, and recommend additional changes to the wastewater treatment system.
- j. The Respondent submitted Application No. 201700383, dated January 3, 2017, seeking approval under RCSA Section 22a-430-3(i) to make additional modifications to optimize the performance of the treatment system.
- k. On March 6, 2017, the Department issued an approval to make the modifications requested in Application No. 201700383, which required the following submittals on or before March 31, 2017: 1) A detailed summary of the modifications that were made relative to the subject application, all final plans and specifications, as necessary, and a certification to the approved modifications; 2) All application materials that are required to be revised as a result of the modifications made; 3) The updated Operation and Maintenance Plan. The Department received the submittals on March 17, 2017.

1. The Respondent submitted the final TRE Report on May 26, 2017.
 20. The Respondent analyzed effluent compliance samples for some of the chemical parameters required to be monitored in the Permit using their own in-house laboratory, which was not certified by the State Department of Public Health. As of August 1, 2014, the Respondent asserts it is utilizing a certified contract laboratory for all of the required analyses.
 21. By virtue of the above, the Respondent has created or is maintaining a facility or condition which reasonably can be expected to create a source of pollution to the waters of the state and has violated a permit issued under CGS Section 22a-430.
 22. By agreeing to the issuance of this consent order, the Respondent makes no admission of fact or law with respect to the matters addressed herein, other than the facts that are asserted in paragraphs A.1-A.4 or that are asserted in paragraphs A.5, A.10, A.12, A.14-A.15, and A.17-A.20 and previously certified by Respondent on DMRs or other reports required by the Permit.
- B. With the agreement of the Respondent, the Commissioner, acting under §22a-6, §22a-424, §22a-425, §22a-427, §22a-430, §22a-432, and §22a-438, of the Connecticut General Statutes, orders the Respondent as follows:
1. The Respondent shall maintain full compliance with all terms and conditions in the Permit.
 2. Full compliance. The Respondent shall not be considered in full compliance with this consent order until all actions required by this consent order have been completed as approved and to the Commissioner's satisfaction.
 3. Civil Penalty. The Respondent agrees to the assessment of a penalty of **one hundred and thirty five thousand dollars (\$135,000)** as the total penalty to be sought by the Commissioner for those, and only those, violations described in paragraphs A.5 through A.17 of this consent order. The penalty shall be paid in four (4) separate installments in accordance with the provisions of paragraph B.4, according to the following schedule:
 - a. The first installment of the penalty shall be in the amount of **forty-five thousand dollars (\$45,000)** due and payable on or before fifteen (15) days after the date of issuance of this consent order.
 - b. The second installment of the penalty shall be in the amount of **thirty thousand dollar (\$30,000)** due and payable on or before one hundred and twenty (120) days after the date of issuance of this consent order.

- c. The third installment of the penalty shall be in the amount of **thirty thousand dollar (\$30,000)** due and payable on or before two hundred and forty (240) days after the date of issuance of this consent order.
- d. The fourth installment of the penalty shall be in the amount of **thirty thousand dollar (\$30,000)** due and payable on or before three hundred and sixty-five (365) days after the date of issuance of this consent order.
4. Payment of penalties. Payment of penalties under this consent order shall be mailed or personally delivered to the Department of Energy and Environmental Protection, Bureau of Financial and Support Services, Accounts Receivable Office, 79 Elm Street, Hartford, CT 06106-5127, and shall be by certified or bank check payable to the "Connecticut Department of Energy and Environmental Protection." The check shall state on its face, "Bureau of Materials Management and Compliance Assurance, Water Permitting and Enforcement Division civil penalty, consent order **CO WR IN 15 001**".
5. Definitions. As used in this consent order, "Commissioner" means the Commissioner or a representative of the Commissioner.
6. Dates. The date of "issuance" of this consent order is the date the consent order is deposited in the U.S. mail or personally delivered, whichever is earlier. The date of submission to the Commissioner of any document required by this consent order shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under this consent order, including but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is deposited in the U.S. mail or is personally delivered, whichever is earlier. Except as otherwise specified in this consent order, the word "day" as used in this consent order means calendar day. Any document or action which is required by this consent order to be submitted or performed by a date which falls on a Saturday, Sunday or a Connecticut or federal holiday shall be submitted or performed by the next day which is not a Saturday, Sunday or Connecticut or federal holiday.
7. Noncompliance. This consent order is a final order of the Commissioner with respect to the matters addressed herein, and is nonappealable and immediately enforceable. Failure to comply with this consent order may subject the Respondent to an injunction and penalties.
8. False statements. Any false statement in any information submitted pursuant to this consent order may be punishable as a criminal offense under §53a-157b of the Connecticut General Statutes and any other applicable law.
9. Notice of transfer; liability of the Respondent. Until the Respondent has fully complied with this consent order, the Respondent shall notify the Commissioner in writing no later than 15 days after transferring all or any portion of the facility, the operations, the site or the business which is the subject of this consent order or after obtaining a new mailing or location address. The Respondent's obligations under this

consent order shall not be affected by the passage of title to any property to any other person or municipality.

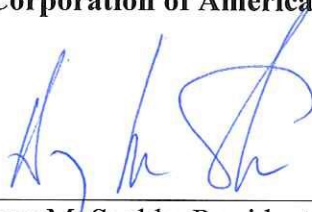
10. Commissioner's powers. Except as provided hereinabove with respect to payment of civil penalties, nothing in this consent order shall affect the Commissioner's authority to institute any proceeding or take any other action to prevent or abate violations of law, prevent or abate pollution, recover costs and natural resource damages, and to impose penalties for past, present, or future violations of law. If at any time the Commissioner determines that the actions taken by the Respondent pursuant to this consent order have not successfully corrected all violations, fully characterized the extent or degree of any pollution, or successfully abated or prevented pollution, the Commissioner may institute any proceeding to require the Respondent to undertake further investigation or further action to prevent or abate violations or pollution.
11. The Respondent's obligations under law. Nothing in this consent order shall relieve the Respondent of other obligations under applicable federal, state and local law.
12. No assurance by Commissioner. No provision of this consent order and no action or inaction by the Commissioner shall be construed to constitute an assurance by the Commissioner that the actions taken by the Respondent pursuant to this consent order will result in compliance or prevent or abate pollution.
13. Access to site. Any representative of the Department of Energy and Environmental Protection may enter the site without prior notice for the purposes of monitoring and enforcing the actions required or allowed by this consent order.
14. No effect on rights of other persons. This consent order neither creates nor affects any rights of persons or municipalities that are not parties to this consent order.
15. Notification of noncompliance. In the event that the Respondent becomes aware that it did not or may not comply, or did not or may not comply on time, with any requirement of this consent order or of any document required hereunder, the Respondent shall immediately notify by telephone the individual identified in the next paragraph and shall take all reasonable steps to ensure that any noncompliance or delay is avoided or, if unavoidable, is minimized to the greatest extent possible. Within five (5) days of the initial notice, the Respondent shall submit in writing the date, time, and duration of the noncompliance and the reasons for the noncompliance or delay and propose, for the review and written approval of the Commissioner, dates by which compliance will be achieved, and the Respondent shall comply with any dates which may be approved in writing by the Commissioner. Notification by the Respondent shall not excuse noncompliance or delay, and the Commissioner's approval of any compliance dates proposed shall not excuse noncompliance or delay unless specifically so stated by the Commissioner in writing.
16. Submission of documents. Any document required to be submitted to the Commissioner under this consent order shall, unless otherwise specified in this consent order or in writing by the Commissioner, be directed to:

Diane D. Foberg, Environmental Analyst
Department of Energy and Environmental Protection
Bureau of Materials Management and Compliance Assurance
Water Permitting and Enforcement Division
79 Elm Street,
Hartford, Connecticut 06106-5127

The Respondent consents to the issuance of this consent order without further notice. The undersigned certifies that he/she is fully authorized to enter into this consent order and to legally bind the Respondent to the terms and conditions of the consent order. A corporate resolution granting such authorization is attached hereto as Attachment B.

Summit Corporation of America

BY:



Harry M. Scoble, President



Date

Issued as a final order of the Commissioner of Energy and Environmental Protection.



Katherine S. Dykes
Commissioner



Date

cc: Town of Thomaston Land Records

Attachment A
Effluent Violations

Company:	Summit Corporation of America
Permit No:	CT0001180
DSN:	001-1

pH Violations	
Month/Year	No. of months with violations
January 2008	1
February -May 2008	4
June-December 2009	7
January-May 2010	5
August-December 2011	5
January, May-Oct 2012	7
February -Dec 2013	11
Jan-Apr, July 2014	5

Other effluent violations					
Parameter	Type	Limit	Month	Year	Value
Nickel	Instantaneous	1.82 mg/l	June	2012	2.6 mg/l
Nickel	AML	0.442 kg/d	September	2012	0.459 kg/d
Nitrogen, total	AML	17.7 kg/d	September	2012	18.340 kg/d
Nitrogen, total	AML	17.7 kg/d	December	2012	19.960 kg/d
Cyanide, total	MDL	0.4 mg/l	March	2013	0.41 mg/l
Cyanide, total	MDL	0.386 kg/d	December	2013	0.463 kg/d
Nickel	AML	0.442 kg/d	December	2013	0.623 kg/d
Cyanide, total	AML	0.22 mg/l	January	2014	0.23 mg/l
Cyanide, amenable	AML	0.10 mg/l	January	2014	0.11 mg/l
Lead, total	Instantaneous	0.072 mg/l	April	2014	0.19 mg/l
Nickel, total	Instantaneous	1.82 mg/l	June	2014	2.1 mg./l
Nickel	AML	0.442 kg/d	June	2014	0.507 kg/d
Nickel, total	AML	0.653 mg/l	July	2014	0.73 mg/l
Nickel	AML	0.442 kg/d	July	2014	0.612 kg/d
Silver	MDL	0.054 kg/d	August	2014	0.080 kg/d
Silver	AML	0.027 kg/d	August	2014	0.0330 kg/d
Lead	MDL	0.013 kg/d	December	2014	0.0237 kg/d
Lead	AML	0.007 kg/d	December	2014	0.0076 kg/d
Silver	MDL	0.054 kg/d	January	2015	0.0870 kg/d
Silver	AML	0.027 kg/d	January	2015	0.0400 kg/d
Silver	MDL	0.054 kg/d	February	2015	0.0560 kg/d
Silver	AML	0.027 kg/d	April	2015	0.0340 kg/d
Silver	MDL	0.054 kg/d	May	2015	0.0700 kg/d
Silver	MDL	0.054 kg/d	May	2015	0.057kg/d
Silver	AML	0.027 kg/d	May	2015	0.0500 kg/d
Silver	MDL	0.054 kg/d	June	2015	0.0690 kg/d
Silver	MDL	0.054 kg/d	June	2015	0.065 kg/d
Silver	AML	0.027 kg/d	June	2015	0.0440 kg/d
Silver	MDL	0.054 kg/d	July	2015	0.0650 kg/d
Silver	AML	0.027 kg/d	July	2015	0.0370 kg/d
Fluoride, total	MDL	30.00 mg/l	July	2015	35.5 mg/l
Lead	MDL	0.013 kg/d	September	2015	0.0178 kg/d
Lead	MDL	0.013 kg/d	October	2015	0.0180 kg/d
Lead	MDL	0.013 kg/d	November	2015	0.0243 kg/d
Silver	MDL	0.054 kg/d	January	2016	0.058 kg/d
Silver	AML	0.027 kg/d	January	2016	0.030kg/d

AML-average monthly limit

MDL-maximum daily limit

MIL-maximum instantaneous limit

Attachment A

Summit Corporation of America Permit no. CT0001180					
Parameter	Type	Limit %	Month	Year	Value %
NOAEL Acute Pimephales	Inst minimum	90	April	2014	72
NOAEL Acute D. Pulex	Inst minimum	90	October	2014	0
% Survival Acute D. Pulex	Inst minimum	50	October	2014	22
NOAEL Acute D. Pulex	Inst minimum	90	November	2014	12
% Survival Acute D. Pulex	Inst minimum	50	November	2014	8
NOAEL Acute D. Pulex	Inst minimum	90	December	2014	74
% Survival Acute D. Pulex	Inst minimum	50	December	2014	30
NOAEL Acute D. Pulex	Inst minimum	90	January	2015	0
% Survival Acute D. Pulex	Inst minimum	50	January	2015	0
NOAEL Acute D. Pulex	Inst minimum	90	February	2015	0
% Survival Acute D. Pulex	Inst minimum	50	February	2015	0
NOAEL Acute D. Pulex	Inst minimum	90	March	2015	16
% Survival Acute D. Pulex	Inst minimum	50	March	2015	24
NOAEL Acute D. Pulex	Inst minimum	90	April	2015	8
NOAEL Acute Pimephales	Inst minimum	90	April	2015	28
% Survival Acute D. Pulex	Inst minimum	50	April	2015	8
NOAEL Acute D. Pulex	Inst minimum	90	June	2015	12
% Survival Acute D. Pulex	Inst minimum	50	June	2015	4
NOAEL Acute D. Pulex	Inst minimum	90	July	2015	40
% Survival Acute D. Pulex	Inst minimum	50	July	2015	34
NOAEL Acute D. Pulex	Inst minimum	90	August	2015	0
% Survival Acute D. Pulex	Inst minimum	50	August	2015	0
NOAEL Acute D. Pulex	Inst minimum	90	September	2015	18
% Survival Acute D. Pulex	Inst minimum	50	September	2015	28
NOAEL Acute D. Pulex	Inst minimum	90	October	2015	16
% Survival Acute D. Pulex	Inst minimum	50	October	2015	24
NOAEL Acute D. Pulex	Inst minimum	90	October 19	2015	10
% Survival Acute D. Pulex	Inst minimum	50	October 19	2015	8
NOAEL Acute D. Pulex	Inst minimum	90	November	2015	24
% Survival Acute D. Pulex	Inst minimum	50	November	2015	28
NOAEL Acute D. Pulex	Inst minimum	90	December	2015	54
% Survival Acute D. Pulex	Inst minimum	50	December	2015	42
NOAEL Acute D. Pulex	Inst minimum	90	July	2016	26
% Survival Acute D. Pulex	Inst minimum	50	July	2016	24
NOAEL Acute D. Pulex	Inst minimum	90	August	2016	70

Attachment B

Corporate Resolution

RESOLVED, that the Authorized Officer be and hereby is authorized and empowered to negotiate and execute, for and on behalf of the Corporation, such other instruments and documents, and to take such other and further action, as he shall deem necessary, appropriate or desirable to carry out the purpose and intent of the transactions contemplated by the Consent Order and the foregoing resolutions, the taking of such actions to be conclusive evidence of the necessity, appropriateness or desirability thereof; and be it further

RESOLVED, that all of the actions of the Authorized Officer heretofore taken relating to any of the matters referred to in the foregoing resolutions hereby are confirmed, ratified and approved in all respects.

[Corporate Seal]

IN WITNESS WHEREOF, the undersigned has executed this Certificate of Corporate Secretary:

Date:

4/30/19

Signature:



Benjamin K. Day
Secretary
Summit Corporation of America

Acknowledgement of Corporate Secretary:

STATE OF CONNECTICUT

COUNTY OF

Litchfield

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ss.

On this, the th30 of April, 2019, before me, Jayshree Patel [name of notary], the undersigned officer, personally appeared Benjamin K. Day, who acknowledged himself to be the Secretary of Summit Corporation of America, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as Secretary.

In witness whereof I hereunto set my hand.



JAYSHREE B PATEL
NOTARY PUBLIC
STATE OF CONNECTICUT
MY COMM. EXP. 08/31/2020

Jayshree Patel
Notary Public

Date Commission Expires: 8/31/20