

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN**

Kathleen McHugh, et al.,

Plaintiffs,

Case No. 11-cv-00724-bbc

v.

Madison-Kipp Corporation, et al.,

Defendants.

AFFIDAVIT OF GEORGE SCHLUTER

STATE OF WISCONSIN)
) ss.
COUNTY OF DODGE)

I, George Schluter, declare under penalty of perjury that the following is true and correct:

1. I make this affidavit based upon my own personal knowledge.
2. I began employment at Madison-Kipp Corporation on August 23, 1971 and was continuously employed until April 2009.
3. When I started in 1971, I worked in the maintenance department. A few years after I started, the maintenance department was divided into building maintenance and machine maintenance and I then worked in the machine maintenance department.
4. I served as a group leader of the machine maintenance department for approximately 10-12 years at Madison-Kipp, from about 1995 or 1997 until 2007.
5. At various points in time during my 38 years at Madison-Kipp, I worked all three shifts. My job duties during my time at Madison-Kipp included mechanical, electrical, pneumatic and hydraulic repairs at the facility and on Madison-Kipp's machinery and equipment. Because of these job duties, I am familiar with and generally observed Madison-

Kipp's use of solvent, including perchloroethylene, (referred to as "Perc") ("PCE"), stanisol and hydraulic oils during its various manufacturing and maintenance processes. I had to understand how Madison-Kipp's machinery and equipment worked, and what was used in it, in order to properly repair and maintain the machinery and equipment.

6. When I started at Madison-Kipp in 1971, PCE, as well as other chemicals, including stanisol, were used to clean metal parts in the manufacturing process and, on occasion, to clean grease from some of the die cast machines.

7. When I started working at Madison-Kipp in 1971, I recall that PCE was used in vapor degreasing operations. I personally saw PCE being used in the vapor degreasing operations.

8. I remember a vapor degreaser was located along the northern portion of the eastern wall of the Atwood building. This vapor degreaser had a vent that discharged to the outside along the northern portion of the eastern exterior wall of the Atwood building.

9. The vapor degreaser was heated with natural gas and included a cooling system that produced the vapor cloud that the degreaser used to clean the metal parts.

10. I recall the PCE was initially stored in an approximately 250-gallon aboveground storage tank located in the storage shed in the parking lot referred to as the oil shed.

11. To fill the vapor degreaser with PCE, the PCE was manually transferred from this aboveground storage tank utilizing pails that were wheeled on a metal cart from the oil shed into the Atwood building. PCE was then poured into the degreaser by the vapor degreaser operator.

12. The oil shed, which had a concrete floor, was located adjacent to the east side of the Atwood Building, to the north.

13. I witnessed employees transferred PCE from the aboveground storage tank in the oil shed by using approximately 5-gallon pails placed on a rolling cart.

14. PCE was delivered to Madison-Kipp by a tanker truck that would use a hose system to fill the aboveground storage tank. I recall that other materials were delivered in a similar manner, including hydraulic oils and kerosene.

15. I recall that the vapor degreaser was physically moved from the Atwood building to the Waubesa building. When the vapor degreaser was in the Waubesa building, it would have vented to the outside, in an area adjacent to the parking lot.

16. I do not recall any floor drains in the vicinity of where the vapor degreaser was located in the Waubesa building.

17. I recall that the vapor degreaser would periodically have to be cleaned to remove accumulated degreasing sludge. The machine operators were in charge of cleaning the vapor degreaser, which is something I observed during the course of my employment activities at Madison-Kipp.

18. I recall seeing machine operators shovel sludge material out of the vapor degreaser into shallow trays or a rolling dumpster for the sludge to be sent off-site for treatment or disposal.

19. From the time when I started at Madison-Kipp in 1971 until I left Madison-Kipp in 2009, I never disposed of PCE, solvent or any waste by merely tossing or dumping it outside of the facility, nor did I ever throw or pour buckets of PCE, solvent or any waste onto the parking lot or driveway.

20. From the time when I started at Madison-Kipp in 1971 until I left Madison-Kipp in 2009, I never saw nor heard of anyone disposing of PCE, solvent or any waste by merely tossing or dumping it outside of the facility. Further, I never saw nor heard of anyone throwing or pouring buckets of PCE, solvent or any waste onto the parking lot or driveway.

21. From the time when I started at Madison-Kipp in 1971, spilled or dripped liquids,

including those containing PCE, were collected using either an industrial vacuum or swept up with "oil-dri" and transferred into a 500-gallon container or a dumpster for off-site disposal.

22. There were no floor drains in the area of the die cast machines.


23. Hydraulic oils used by Madison-Kipp were delivered by tanker truck and transferred into aboveground storage tanks located in the oil shed through a hose that connected to a coupling outside the shed. Hydraulic oils were also delivered to Madison-Kipp in 55-gallon barrels that were also stored in the oil shed.

24. Spent hydraulic oils were recycled by using filters and a centrifuge, so that the oils could be reused in the facility again.

25. From when I started at Madison-Kipp in 1971 until the parking lots were paved in 1976 or 1977, I recall that spent oils were applied to the parking areas for dust suppression using an industrial vacuum (Seacor machine). I recall this done for either one or two summers. The material used for dust suppression came from facility spills of hydraulic oils, PCE, water, or other liquids. I used the Seacor machine for dust suppression on a few occasions between 1971 and when the parking lots were paved.


26. Use of spent oils for dust suppression was very common in the area in the 1960s and 1970s. In fact, I applied spent oils to local roads for dust suppression when I worked for a gas station in the City of Monona from about 1966 or 1967 to 1970. The area that I applied spent oils to is about 2 miles from Madison-Kipp. At the time, dust suppression activities were seen as a community service and the gas station applied spent oil to roads for the neighbors' benefit.

Dated this 18 day February, 2013.



George Schluter

Subscribed and sworn to before me
this 18th day of February, 2013.



NOTARY Public, State of Wisconsin
My commission: permanent

LEAH H. ZIEMBA
NOTARY PUBLIC
STATE OF WISCONSIN