

Case Number 13-C319-016-BRS	Case Title Newton Township – Well Water Contamination
Activity Interview of Donald Vogt	Date of Activity December 23, 2013

Narrative¹

At approximately 1:02 PM on Monday, December 23, 2013, Conservation Warden Robert Stroess, in plain clothes, met with Donald Vogt at Vogt's residence, [REDACTED] Manitowoc, WI to interview Vogt about his knowledge of disposal of wastes at the Hecker Road pit owned by the City of Manitowoc. Stroess had received information from a caller to the DNR Hotline that Vogt had knowledge of the disposal of wastes at the site. Stroess then telephoned Vogt and arranged the meeting.

This investigation is in reference to **BRRTS Number 02-36-000268** which was provided to Stroess by Roxanne Chronert of the DNR Remediation and Redevelopment program.

Vogt met Stroess at the door and invited Stroess inside. Stroess identified himself as a conservation warden and by name. Vogt identified himself verbally and later through a typed statement and Wisconsin driver's license [REDACTED] as follows:

Donald L. Vogt
Male

[REDACTED]
[REDACTED]
Manitowoc, WI 54220
[REDACTED]

They sat at the dining room table and Vogt provided the following information:

- He worked for Aluminum Specialty in Manitowoc, WI for two summers – 1965 and 1966.
- He worked in the maintenance department. He had to make weekly runs to the City of Manitowoc gravel pit on Hecker Road during which he dumped up to 3 (three) 55-gallon barrels of waste oil and 3 (three) 55-gallon barrels of benzene in a pit.
- He was taught by another maintenance worker what to do and where to dump. He did not remember which member of the maintenance crew instructed him on what to do but he remembered the names of five workers as foreman Charlie Hettmann, Gordy Green, Ivan Fictum, John Franz, and Dale Hodek. He said Dale Hodek was the only one of them who was

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Warden Reporting Robert Stroess	Date of Report December 29, 2013	Exhibit Reference
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living, knew Hodek lived in Green Bay, and said Hodek assisted Vogt on most of his dumping runs to the Hecker Road pit.

- He accessed the site from an entrance west off Hecker Road, he curved to the north, drove past dog kennels on the site (which were to his north), then curved left (south) to the pit. He didn't cross Silver Creek.
- He never saw anyone or any other company dumping at the Hecker Road pit. He believed other companies dumped at the pit because the liquid accumulated in the pit far exceeded the amount he dumped there.

Stroess asked Vogt to draw out a diagram of the site as he remembered it. Vogt drew a diagram on a sheet of lined paper, then dated and initialed the diagram. Stroess initialed it as a witness. Stroess had Vogt draw the diagram prior to showing him any aerial photograph of the site.

After Vogt drew the diagram, Stroess showed him the 1961 aerial photograph of the site and asked Vogt to draw out the location of the pit and his travel route through the property to the pit. Vogt pointed out the entrance driveway to the Hecker Road gravel pit property, north of Silver Creek. Vogt said he remembered entering the entire gravel pit property off the entrance driveway but remembered curving to the right (north) once on the entrance driveway. He didn't see the curve to the right on the aerial photograph. Stroess asked Vogt to not rely on what he saw on the aerial photograph and to just draw out what he remembered as being his route. Vogt drew the approximate route he took to the pit which was west off Hecker Road through the main entrance driveway, curve to the north, go beyond dog kennels to the north, then curved south to the pit. Vogt said he did not cross Silver Creek when driving to the pit.

Vogt had a written statement partially typed on his computer upon Stroess' arrival. Stroess asked Vogt to just continue typing the written statement. Vogt provided the following written statement (typed and printed out via computer):

I began summer employment at the Aluminum Specialty in June, 1965 and worked there that summer and the summer of 1966. I was assigned to the maintenance department. Part of my responsibilities was to load waste oil and benzene onto the truck and take it to the city gravel pit/dog pound on Hecker Road where the waste was dumped into a pit. The city would burn the waste I believe on a weekly basis. The waste I hauled was in 55 gallon drums and I would haul up to three barrels of waste oil and three barrels of benzene each week. The truck was a blue dump truck with short walls and a tailgate. We would tip the barrels onto their sides and remove the threaded caps to drain the liquid off the back of the truck. I was told by the workers on the maintenance crew that the contents were waste oil and benzene. I knew what benzene was because we used benzene to clean paint brushes as part of my employment with the Aluminum Specialty.

Workers I worked with on the permanent crew include our foreman Charlie Hettmann, Gordy Green, Ivan Fictum and John Franz – all now deceased. I also worked with another student, Dale Hodek who worked with me doing the dumping because it would take two men to tip the barrels and control them while they drained. I believe Dale went with me on most of the runs I made to dump the waste. Dale now lives in Green Bay.

My orientation to my summer job included one of the maintenance crew going with me to the pit and showing me where to dump the waste. Taking the waste was part of my routine and was usually done on a Friday as I recollect.

I drove the truck to the site. I would exit Hecker Road and drive about 200' before going down a small hill bending to my right. I drove about 300' and passed a dog pound on my right, wooden structures holding maybe 7-10 dogs and painted white. I would then drive up an incline about 12-18 feet above the grade of the kennels with the road bending to my left. I remember a clump of trees on my right and the area to back the truck being just past the trees.

The pit itself was round in shape with an earthen berm all around. We would let the waste run off the tailgate of the truck and the waste flowed down an earthen runway into the pit. The pit had liquid in it when I arrived, it was not muddy nor did it show signs of the liquid seeping into the ground. The road I believe continues beyond the pit but I never drove further than the spot where I backed to the pit. I remember that I did not cross the creek to get to the site. I made the runs to the pit from approximately the first week of June to the last week in August in 1965 and 1966. I worked the entire summer without vacation because I needed the money for school.

The job of hauling waste to the site was my job during the summer and it was done by the regular maintenance crew for the rest of the year. I was told other companies dumped their waste there but I never personally saw anyone else doing it while I was there. I believed this to be true because the amount of liquid in the pit far exceeded the amount I would dump there so it had to come from somewhere.

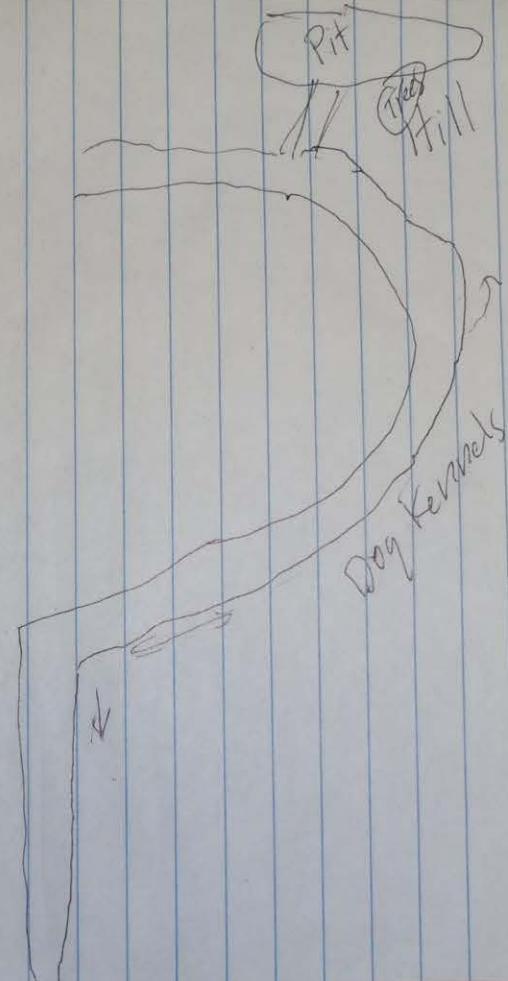
I was told the city would burn the waste off. I never was there when this was done but I did see heavy black smoke coming from this site on a few occasions.

I marked the route I drove on an aerial map and I also drew a map of what I remember being my route to the pit. I gave this to Warden Bob Stroess at my home on December 23, 2013.

Vogt signed the statement at 2:22 PM. Stroess signed as a witness.

Stroess and Vogt talked small talk until Stroess left at 3:14 PM.

Silver Creek



12/23/2015
14:14:00/B
AB

Hecker Rd



JV.
12/23/2013
R4/12/11