

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD  
OF THE STATE OF ILLINOIS**

PEOPLE OF THE STATE OF ILLINOIS

Complainant,

v.

TOYAL AMERICA, INC. , formerly known  
as ALCAN-TOYO AMERICA, INC., a  
foreign corporation,

Respondent.

PCB 2000-211  
(Enforcement)

**RECEIVED**  
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NOV 26 2008

**STATE OF ILLINOIS**  
**Pollution Control Board**

**NOTICE OF FILING**

TO: Christopher Grant  
Assistant Attorney General  
Environmental Bureau  
69 West Washington Street, 18<sup>th</sup> Floor  
Chicago, IL 60602

Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 W. Randolph Street  
Chicago, IL 60601

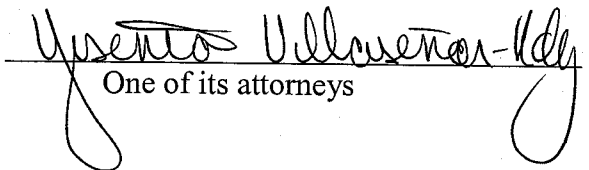
John Therriault, Assistant Clerk  
Illinois Pollution Control Board  
100 West Randolph Street  
Suite 11-500  
Chicago, IL 60601

**PLEASE TAKE NOTICE** that on **Wednesday, November 26, 2008**, we filed the attached **Exhibit List** with the Hearing Officer, a copy of which is herewith served upon you.

Respectfully submitted,

**TOYAL AMERICA, INC.**

By:

  
One of its attorneys

Roy M. Harsch  
Lawrence W. Falbe  
Yesenia Villaseñor-Rodriguez  
DRINKER BIDDLE & REATH LLP  
191 N. Wacker Drive Suite 3700  
Chicago, IL 60606-1698  
Telephone: (312) 569-1000  
Facsimile: (312) 569-3000

**THIS FILING IS SUBMITTED ON RECYCLED PAPER**

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**EXHIBIT LIST**

Toyol America, Inc., ("Respondent") by and through its attorneys, Yesenia Villasenor-Rodriguez and Drinker Biddle & Reath LLP, submit this exhibit list in accordance with the Illinois Pollution Control Board's directive.

**Respondent's Exhibits**

1. Resume of Barry Van Hoose, Toyol America, Inc.
2. Resume of Raymond Malmgren, Toyol America, Inc.
3. Resume of Dennis Debrodt, Toyol America, Inc.
4. Resume of Steve Anderson, Admiral Environmental Services
5. Resume of Christopher McClure, Navigant Consulting
6. Toyol Aluminium, Inc., December 31, 2007 Financial Report
7. Expert Report of Christopher McClure of Navigant Consulting dated November 24, 2008 with supplementary documentation
8. Resume of Gary Styzens, Illinois Environmental Protection Agency
9. Deposition of Gary Styzens, Illinois Environmental Protection Agency dated November 17, 2008

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10. Memorandum from Gary Styzens to Alec Messina, of Illinois Environmental Protection Agency dated March 29, 2006 re: Revised Economic Benefit Analysis
11. Navigant Consulting Analysis of Economic Benefit dated November 22, 2005
12. U.S. Environmental Protection Agency's Federal Register Notice dated June 18, 1999 64 FR 32948- Calculation of the Economic Benefit of Noncompliance in EPA's Civil Penalty Enforcement Cases
13. U.S. Environmental Protection Agency's Memorandum dated July 23, 1995 from Kathie A. Stein to Regional Division Directors re: Clarification of the Use of Appendix I of the Clean Air Act Stationary Source Civil Penalty Policy
14. January 2001 Toyal Permit Application
15. April 5, 2001 Permit Denial
16. May 30, 2001 Toyal Construction Permit
17. March 8, 2002 Toyal Revised Construction Permit
18. November 18, 2002 Revised Construction Permit
19. Clean Air Engineering, Inc., 2003 Stack Test Report
20. July 2003 Toyal's Federally Enforceable State Operating Permit ("FESOP") Application
21. November 25, 2003 Toyal's FESOP
22. March 2005 Toyal Permit Application
23. June 6, 2005 Toyal Construction Permit
24. Clean Air Engineering, Inc., 2005 Stack Test Report
25. January 2006 Permit Application
26. Raymond Malmgren notes from meeting with Illinois Environmental Protection Agency dated January 21, 2003
27. Agenda from Toyal and Illinois Environmental Protection Agency Meeting dated March 27, 2003
28. April 8, 1999 Illinois Environmental Protection Agency's Permit Denial

29. Chronological Data for Installation of VOC unit at Toyal facility in Lockport, Illinois dated June 24, 1999
30. Information presented to Illinois Environmental Protection Agency from Toyal dated May 2, 2007
31. Information requested by Illinois Environmental Protection Agency from Toyal dated May 2, 2007 (updated)
32. Chronology of Fires and Explosions at Toyal Facility
33. Information Concerning Solvent Recovery
34. U.S. Aluminum, Inc. in Haskell, New Jersey Air Permit and Related Documentation
35. Silberline, Manufacturing Co., Operating Permit and Permit Documentation located in Hometown, Pennsylvania (Permit No. 54-00041)
36. Silberline, Manufacturing Co., Operating Permit and Permit Documentation located in Lansford, Pennsylvania (Permit No. 13-00014)
37. United States Bronze Powders, Inc. in Haskell, New Jersey- Air Operating Permit and Related Documentation
38. February 6, 1992 Illinois EPA Notice of Incompleteness ("NOI")
39. March 9, 1992 letter Toyal to Don Sutton acknowledging receipt of NOI.
40. May 29, 1992 Toyal Response to NOI.
41. April 20, 1995 Construction Permit Application number 95040070
42. 1996 Clean Air Act Permit Program Permit ("CAAPP") Application, excerpts
43. February 27, 1995 Request for Additional Information from Illinois EPA
44. February 25, 1997 Toyal Approval for Plant Projects documents
45. March 13, 1998 Toyal (BVH) letter to Illinois EPA requesting delay in permit application submission.
46. May 22, 1998 RCO Permit application (Excerpts).
47. December 30, 1998 Toyal letter cancelling stack test.
48. April 18, 2001 Permit Application /Report, excerpts

49. February 19, 2002 Toyal letter requesting stack test extension
50. February 26, 2002 Toyal letter
51. August 19, 2002 letter regarding additional test delay
52. November 1, 2002 Report on Control letter
53. Request to Admit Facts and Toyal Response
54. Toyal responses to Complainant's Interrogatory Requests
55. May 31, 2000 Complaint

Respectfully Submitted,

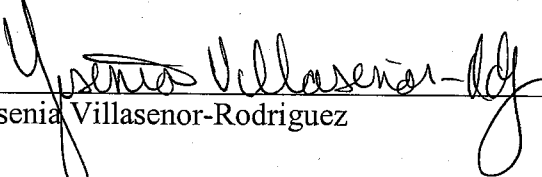
By: Yesenia Villasenor-Rodriguez  
One of its attorneys

Dated: November 26, 2008

Roy M. Harsch  
Lawrence W. Falbe  
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**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the foregoing **Notice of Filing and Exhibit List** were filed by hand delivery with the Hearing Officer and served upon the parties to whom said Notice is directed by first class mail, postage prepaid, by depositing in the U.S. Mail at 191 North Wacker Drive, Chicago, Illinois on Wednesday, November 26, 2008.

  
\_\_\_\_\_  
Yesenia Villasenor-Rodriguez

**THIS FILING IS SUBMITTED ON RECYCLED PAPER**