

BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS

EVERGREEN FS, INC.,)
 Petitioner,)
 v.) PCB 12-127
) (UST Appeal)
OFFICE OF THE STATE FIRE)
MARSHAL,)
 Respondent.)

AMENDED NOTICE OF FILING AND PROOF OF SERVICE

To: Carol Webb, Hearing Officer Thomas Andryk
 Illinois Pollution Control Board Division of Petroleum & Chemical Safety
 1021 North Grand Avenue East Office of the State Fire Marshal
 P.O. Box 19274 1035 Stevenson Drive
 Springfield, IL 62794-9274 Springfield, IL 62703

John T. Therriault, Clerk
Illinois Pollution Control Board
100 West Randolph Street
State of Illinois Building, Suite 11-500
Chicago, IL 60601

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk of the Illinois Pollution Control Board, pursuant to Board Procedural Rule 101.302 (d), PETITIONER'S MOTION TO DISMISS, a copy of which is herewith served upon the attorneys of record in this cause.

The undersigned hereby certifies that a true and correct copy of this Notice of Filing, together with a copy of the document described above, were today served upon counsel of record of all parties to this cause by enclosing same in envelopes addressed to such attorneys with postage fully prepaid, and by depositing said envelopes in a U.S. Post Office Mailbox in Springfield, Illinois on the 31st day of October, 2012.

Respectfully submitted,
EVERGREEN FS, INC., Petitioner,

BY: MOHAN, ALEWELT, PRILLAMAN & ADAMI

BY: /s/ Patrick D. Shaw

Patrick D. Shaw
MOHAN, ALEWELT, PRILLAMAN & ADAMI
1 North Old Capitol Plaza, Suite 325
Springfield, IL 62701-1323
Telephone: 217/528-2517
Facsimile: 217/528-2553