



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

Lisa Madigan  
ATTORNEY GENERAL

May 23, 2011

*Via Electronic Mail*

Mr. Tom Reuter, FOIA Officer  
Illinois Environmental Protection Agency  
1021 N. Grand Ave. East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
tom.reuter@illinois.gov

RE: FOIA Pre-Authorization Request – 2011 PAC 14176

Dear Mr. Reuter:

We have received and reviewed the written notice from the Illinois Environmental Protection Agency (IEPA) of its intention to deny disclosure of certain information pursuant to section 7(1)(f) of the Freedom of Information Act (FOIA) (5 ILCS 140/7(1)(f) (West 2009 Supp.), as amended by Public Act 96-1378, effective July 29, 2010).

On February 15, 2011, [REDACTED] of Marshall Environmental submitted a FOIA request for site information at Sportsman Park, Garden Plots Park and Van Oven Scout Reservation. In its written notice, IEPA asserts that there are specific documents regarding Sportsman Park that are preliminary drafts exempt under 7(1)(f).

Section 7(1)(f) of FOIA exempts from inspection and copying "[preliminary drafts, notes, recommendations, memorandum and other records in which opinions are expressed, or policies or actions formulated, except that a specific record or relevant portion of a record shall not be exempt when the record is publicly cited and identified by the head of the public body."

**DETERMINATION**

The IEPA's use of the exemption in section 7(1)(f) to withhold the draft documents regarding Sportsman Park is **approved**. We have concluded that the withheld documents all contain preliminary assessments and recommendations that were subject to revision before being accepted. These documents were used by IEPA to formulate actions.

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IEPA asserts that none of these documents has been publicly cited or identified by IEPA's Director. Accordingly, the IEPA has met its initial burden of demonstrating that the withheld documents are exempt from disclosure under section 7(1)(f).


If you have any questions, please contact Tammy Friedewald at (217) 558-1926. This correspondence shall serve to close this matter.

Very truly yours,



AMANDA M. LUNDEEN  
Assistant Attorney General  
Public Access Bureau

cc:

  
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