



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

Lisa Madigan  
ATTORNEY GENERAL

June 20, 2011

Mr. Thomas J. Reuter  
Acting FOIA Officer  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
Springfield, IL 62794

Re: FOIA Pre-Authorization Request – 2011 PAC 14829

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 under 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). IEPA is seeking to withhold pre-decisional documents.

On April 8, 2011, Ms. LaDonna Driver of Hodge Dwyer & Driver submitted a FOIA request to IEPA for "[a]ny and all documents with regard to Quad Cities Landfill, Milan, Illinois." In its written notice, IEPA asserts that one document contained within the requested records was part of the pre-decisional process to determine policies or actions and has been withheld from disclosure under section 7(1)(f) of FOIA.

**DETERMINATION**

Section 7(1)(f) of FOIA exempts from inspection and copying "[p]reliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are 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."

IEPA's use of section 7(1)(f) to withhold the document is **approved**. After review, our office has determined that the withheld document is pre-decisional and contains information concerning the formulation of policies or actions. Further, IEPA has indicated that this document has not been publicly cited by its' Director. Accordingly, IEPA has met its initial

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burden of demonstrating that the withheld information is exempt from disclosure under section 7(1)(f) of FOIA.

If you have any questions or would like to discuss this matter, please contact me at (312) 814-8413. This correspondence shall serve to close this matter.

Very truly yours,



REBECCA RIDDICK  
Assistant Attorney General  
Public Access Bureau

14829 pre-auth al 71f prelim draft sa

cc: Ms. LaDonna Driver  
Hodge Dwyer & Driver  
3150 Roland Ave.  
Springfield, IL 32703