



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

Lisa Madigan  
ATTORNEY GENERAL

June 1, 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 14338

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 March 17, 2011, [REDACTED] of Anderson Environmental and Engineering submitted a FOIA request for land site information on Cadie Car Hauling and Auto Recycle. In its written notice, IEPA asserts that a certain document is an internal memo and preliminary draft which is 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**

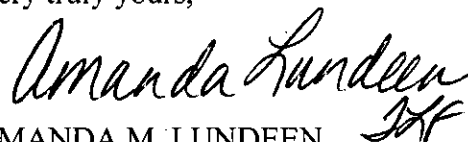
The IEPA's use of the exemption in section 7(1)(f) to withhold the internal memo is **approved**. We have concluded that the withheld document is an internal memo and document which contain preliminary assessments and recommendations that were subject to revision before being accepted. This document was used by IEPA to formulate actions. IEPA asserts that

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this document has not been publicly cited or identified by IEPA's Director. Accordingly, the IEPA has met its initial burden of demonstrating that the withheld document is 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

AL: tf

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cc:

  
Anderson Environmental & Engineering  
124 North Water Street, Suite 206  
Rockford, IL 61107