



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

Lisa Madigan  
ATTORNEY GENERAL

July 20, 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  
[REDACTED]

RE: FOIA Pre-Authorization Request – 2011 PAC 15513

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 2010).

On July 12, 2011, [REDACTED] of Terracon Consultants submitted a FOIA request for information on the Center of the Northshore. In its written notice, IEPA asserts that certain documents are internal memos which are 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 memos regarding Center of the Northshore is **approved**. We have concluded that the withheld documents are internal memos in which recommendations and opinions are expressed and are being utilized by the IEPA in formulating an action regarding a specific matter. IEPA asserts that these documents have not 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).

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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 Lundeen*  
*AL*

AMANDA M. LUNDEEN  
Assistant Attorney General  
Public Access Bureau

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cc:

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Terracon Consultants  
650 W. Lake St., Ste. 420  
Chicago, IL 60661