

## Gallagher, Sara Gadola

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**From:** Gallagher, Sara Gadola  
**Sent:** Monday, April 05, 2010 4:15 PM  
**To:** 'tom.reuter@illinois.gov'  
**Cc:** [REDACTED]  
**Subject:** 2010 PAC 6510 -- Pre-Authorization Request

April 5, 2010

Mr. Tom Reuter  
Acting FOIA Officer  
Illinois Environmental Protection Agency  
[tom.reuter@illinois.gov](mailto:tom.reuter@illinois.gov)

Dear Mr. Reuter,

We have received and reviewed the written notice from the Illinois Environmental Protection Agency (IEPA) of its intent to deny disclosure of certain records as exempt from disclosure under subsection 7(1)(f) of the Freedom of Information Act, 5 ILCS 140/1 *et seq.*, as amended (FOIA).

[REDACTED] submitted a FOIA request dated March 19, 2010, to the IEPA seeking records related to the C.L. Hale Septic facility. In its written notice, which we received on March 29, 2010, IEPA asserted that three documents responsive to [REDACTED] FOIA request are exempt from disclosure under subsection 7(1)(f) of FOIA.

IEPA's use of the subsection 7(1)(f) exemption with respect to these documents is **approved**. We confirmed in a telephone conversation with you today that the documents in question are preliminary scoring and evaluation documents used as part of the IEPA's environmental compliance process. As such, because these documents are preliminary documents in which opinions are expressed or actions are formulated, and because the documents have not been publicly cited or identified by the head of the IEPA, the documents are exempt from disclosure under subsection 7(1)(f) of FOIA.

As such, the IEPA should issue a partial denial letter directly to [REDACTED]. Should you have questions or concerns, please feel free to contact me. This correspondence shall serve to close this matter.

Very truly yours,

**Sara Gadola Gallagher**  
Deputy Public Access Counselor  
Office of the Attorney General  
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Chicago, Illinois 60601  
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