



**OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS**

Lisa Madigan
ATTORNEY GENERAL

September 29, 2010

Thomas Reuter
Acting FOIA Coordinator
Illinois Environmental Protection Agency
1021 N. Grand Ave. East
P.O. Box 19276
Springfield, IL 62794-9276

RE: Pre-Authorization Request – 2010 PAC 9756
Requester: Marissa Griswold

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 as exempt from disclosure under Section 7(1)(f) of the Freedom of Information Act (FOIA). 5 ILCS 140/7(1)(f). On July 8, 2010, Ms. Marissa Gold submitted twenty (20) numbered requests for records relating to investigations into oil spills and repair of pipelines. The IEPA asserts that seventeen (17) of the responsive records are exempt from disclosure under Section 7(1)(f) of FOIA.

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 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.” 5 ILCS 140/7(1)(f).

Determination

Based upon our review of the documents in question, we have determined that the IEPA’s use of the exemption in Section 7(1)(f) with regard to these records is approved. Further, the IEPA asserts that none of these records has been publicly cited or identified by the head of the IEPA. Thus, the IEPA has met its initial burden of showing that these records are exempt from disclosure under Section 7(1)(f).

Should you have any questions or concerns, feel free to contact Sarah Kaplan at (312) 814-2086.
This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By:

Amalia Rioja by SRK

Amalia Rioja
Chief Deputy Public Access Counselor

cc: Marissa Griswold
Environmental Resources Management
1701 Golf Road, Suite 1-1000
Rolling Meadows, IL 60008-4242

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