

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

Lisa Madigan
ATTORNEY GENERAL

October 8, 2010

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

Re: Pre-Authorization Request – 2010 PAC 9588
FOIA Requester: Victor Filippini

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 140/1 *et seq.*, as amended.

On August 26, 2010, Mr. Victor Filippini submitted a FOIA request to IEPA for information relating to the circumstances that gave rise to the Violation Notice received by the Village of Long Grove, "as well as, records relating to similar violation notices for water well drilling activities."

In its written notice, the IEPA stated that one document contained within the requested records 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 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."

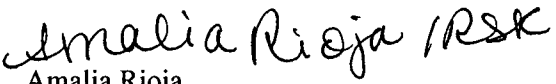
The IEPA's use of the Section 7(1)(f) exemption with regard to the withheld document is **approved**. After review, our office has determined that the withheld document is a preliminary record in which opinions are expressed, or policies or actions are formulated. Further, the IEPA has indicated that this document has not been publicly cited by the Director of the IEPA. Accordingly, the IEPA has met its burden of demonstrating that the withheld document is exempt from disclosure under Section 7(1)(f) of FOIA.

If you have any questions or concerns, please feel free to contact Rebecca Riddick directly at (312) 814-2138. This correspondence shall serve to close this matter.

Sincerely,

cc: Mr. Victor Filippini
Holland & Knight
131 S. Dearborn Street
30th Floor
Chicago, IL 60603

Cara Smith
Public Access Counselor

By: 
Amalia Rioja
Chief Deputy Public Access Counselor