



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

**Lisa Madigan**  
ATTORNEY GENERAL

January 10, 2011

Tom Reuter  
FOIA Officer  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62794-9276

RE: Pre-Authorization Request – 2011 PAC 11617  
Requester: Melinda Brant, Hepler Broom LLC

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 November 22, Ms. Melinda Brant submitted 4 FOIA requests seeking records relating to Super Sonic Petroleum, Tom Leasch, CITGO, and Larry's 24 Gas. In its written notice dated December 29, IEPA asserts that certain 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**

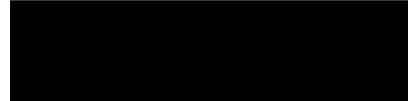
We have determined that IEPA's use of the exemption in Section 7(1)(f) with regard to these documents is approved. These documents are pre-decisional in nature, they contain recommendations, and they discuss the formulation of IEPA's actions. The IEPA asserts that these documents have not been publicly cited or identified by the Director of the IEPA. Thus, the IEPA has met its initial burden of showing that these documents are exempt from disclosure under Section 7(1)(f).

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

Sincerely,

Cara Smith  
Public Access Counselor

By:



Sarah Kaplan  
Assistant Public Access Counselor

cc: Melinda Brant  
Paralegal  
Hepler Broom LLC  
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