



April 12, 2018

Keith G. Flanagan, Esq.

Re: FOIA 18-0104

Dear Mr. Flanagan:

The Illinois Tollway is in receipt of your FOIA request received on April 5, 2018. In that request, you asked for the following items:

1. All records relating to complaints of potholes or similar road conditions made to the Illinois Tollway or *999 with respect to the ramp leading from Central Tri-State Tollway (I-294) N. to Interstate 88 (I-88) W. (I-294 N. - Exit 29 - near Mile Marker 28.9 toward Interstate 88 (I-88) W.) from February 16-23, 2018;
2. Records of any and all similar incidents or accidents reported to the Illinois Tollway or *999 from February 16-23, 2018;
3. Records of any repairs made to the above-referenced ramp between February 23 and 26, 2018; and
4. The name, title, and contact information for the Manager who made a visual inspection to the area and for the date and time of that visual inspection referenced in the March 26, 2018 letter from Risk Management.

We have completed our review and have identified records responsive to your request.

Your request is granted in part and denied in part. The Tollway has redacted private information including employee identification numbers under 5 ILCS 140/7(1)(b), which allows the Tollway to redact private information:

“‘Private information’ means unique identifiers, including a person’s social security number, driver’s license number, employee identification number, biometric identifiers, personal financial information, passwords or other access codes, medical records, home or personal telephone numbers, and personal email addresses. Private information also includes home address and personal license plates, except as otherwise provided by law or when compiled without possibility of attribution to any person.” 5 ILCS 140/2(c-5).

As to Item 4, the name and title of the Manager is Donald Ryan, Maintenance Section Manager. His contact information, however, is exempt as private and personal information under 5 ILCS 140/7(1)(c) as well as the private information exemption cited directly above this paragraph. Section 7(1)(c) exempts, in relevant part:

“Personal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information.” “Unwarranted invasion of personal privacy” means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject’s right to privacy outweighs any legitimate public interest in obtaining the information. The disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of personal privacy.” 5 ILCS 140/7(1)(c).

Please note that Gina Sabbia, Freedom of Information Officer, was responsible for the decision made herein. If you disagree with this response, you have a right to appeal to the Public Access Counselor (PAC) at the Office of the Illinois Attorney General. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
Email: publicaccess@atg.state.il.us

You also have the right to seek judicial review of this response by filing a lawsuit in circuit court. 5 ILCS 140/11.

If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days of the date of this letter. 5 ILCS 140/9.5(a). Please note that you must include a copy of your original FOIA request and this denial letter when filing a Request for Review with the PAC.

Finally, these records are too large to provide via email. In keeping with the copying fees allowed by law, the cost of copying these records onto a CD is \$2.00 (\$1.00 CD plus \$1.00 postage). Payments can be made to the Illinois Tollway, Attn: FOIA Officer, 2700 Ogden Avenue, Downers Grove, IL 60515. The records will be processed upon receipt of payment.

If preferred, we can make these records available to be picked up once they are ready. Please contact us to set up a time and date and the postage fee would be waived.

Respectfully,

Gina Sabbia
Freedom of Information Officer