

October 27, 2015

VIA E-MAIL

Ms. Michaela Hamman
Major Account Executive
Republic Services
E-Mail: mhamman@republicservices.com

RE: 15-FOIA-205 Recent Waste & Recycling Contract

Dear Ms. Hamman:

We have received your request for information pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1 *et seq.* (“**FOIA**”).

I. Background

On October 6, we received your request for a copy of the most recent waste and recycling contract for Metra (“**Request**”). Your Request is granted in part and denied in part.

II. Responsive Document

In response to your Request, Metra is providing you with the most recent PO #B21353 issued to Independent Recycling Services, Inc., on 9/6/2012 (the “**Responsive Document**”).

You may access the Responsive Document via Metra’s file transfer protocol (“**FTP**”) site. Direct your browser to <https://ftp.metrarr.com/>. The user name is: [REDACTED] and the case sensitive password is: [REDACTED]. Access to this FTP site will expire November 10, 2015. *If you require additional time to download this document, please let us know prior to the expiration date.*

III. Partial Denial

While FOIA requires public bodies to provide access to public records generally, FOIA also authorizes units of government to withhold certain information. Therefore, Attorney Thomas Stuebner has determined that the following portions of the report are exempt from disclosure under certain provisions of FOIA:

1. Metra’s tax exempt identification number is redacted because it is exempt from disclosure under Section 7(1)(b) of FOIA, which exempts “private information.” 5 ILCS 140/7(1)(b). “Financial information” is specifically mentioned within the definition of “private information” found in Section 2(c-5) of FOIA.
2. Section 7(1)(s) of FOIA authorizes units of government to withhold “[a]ny and all proprietary information and records related to the operation of an intergovernmental risk management

association or self-insurance pool or jointly self-administered health and accident cooperative or pool Insurance or self insurance (including any intergovernmental risk management association or self insurance pool) claims, loss or risk management information, records, data, advice or communications.” 5 ILCS 140/7(1)(s). Accordingly, per Attorney Thomas Stuebner, all information regarding insurance within the Responsive Document has been redacted.

IV. Right of Review

A person whose request to inspect or copy a public record was treated by the public body as a request for a commercial purpose under Section 3.1 of FOIA may file a request for review with the Public Access Counselor (“PAC”) of the Illinois Attorney General’s Office for the limited purpose of reviewing whether the public body properly determined that the request was made for a commercial purpose. 5 ILCS 140/9.5(b). 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
E-mail: publicaccess@atg.state.il.us.

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 partial denial letter. 5 ILCS 140/9.5(a). Please note that you must include a copy of your original FOIA request and this partial denial letter when filing a Request for Review with the PAC.

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

If I can be of further assistance to you, please do not hesitate to contact me.

Sincerely,



Kathleen E. Haton
Freedom of Information Officer
foia@metrarr.com
FOIA Hotline #312-663-3642