**Section 1828.102 Definitions**

Terms not defined in this Section shall have the same meaning as in the Freedom of Information Act [5 ILCS 140], the Environmental Protection Act [415 ILCS 5] and regulations promulgated by the Pollution Control Board. The following definitions are applicable for purposes of this Part:

"Act" means the Environmental Protection Act. [415 ILCS 5]

"Agency" means the Illinois Environmental Protection Agency as established by the Act.

"Board" means the Pollution Control Board as established by the Act.

*"Commercial purpose" means the use of any part of a public record or records, or information derived from public records, in any form for sale, resale, or solicitation or advertisement for sales or services. For purposes of this definition, requests made by news media and non-profit, scientific, or academic organizations shall not be considered to be made for a "commercial purpose" when the principal purpose of the request is (i) to access and disseminate information concerning news and current or passing events, (ii) for articles or opinion or features of interest to the public, or (iii) for the purpose of academic, scientific, or public research or education.* (Section 2(c-10) of FOIA)

*"Copying" means the reproduction of any public record by means of any photographic, electronic, mechanical or other process, device or means now known or hereafter developed and available to the* Agency. (Section 2(d) of FOIA)

*"Department", when a particular entity is not specified, means (i) in the case of a function to be performed on or after July 1, 1995 (the effective date of the Department of Natural Resources Act), either the Department of Natural Resources or the Department of Commerce and Economic Opportunity (formerly Department of Commerce and Community Affairs), whichever, in the specific context, is the successor to the Department of Energy and Natural Resources under the Department of Natural Resources Act; or (ii) in the case of a function performed before July 1, 1995, the former Illinois Department of Energy and Natural Resources.* (Section 3.180 of the Act)

"Director" means the Director of the Agency.

"FOIA" means the Freedom of Information Act [5 ILCS 140].

"Governmental requester" means any officer, employee or authorized representative of Illinois or of the United States concerned with implementation of State or federal environmental statutes and regulations.

*"News media" means a newspaper or other periodical issued at regular intervals, whether in print or electronic format, a news service whether in print or electronic format, a radio station, a television station, a television network, a community antenna television service, or a person or corporation engaged in making news reels or other motion picture news for public showing.* (Section 2(f) of FOIA)

*"Person" means any individual, corporation, partnership, firm, organization or association, acting individually or as a group.* (Section 2(b) of FOIA)

*"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.* (Section 2(c-5) of FOIA)

"Public Access Counselor" means an individual appointed by the Attorney General, who shall be an attorney licensed to practice law in the State of Illinois. The Public Access Counselor's mission is to provide advice and education with respect to the interpretation and implementation of FOIA and the Open Meetings Act. The Public Access Counselor is responsible for carrying out the duties as set forth in Section 7 of the Attorney General Act. [15 ILCS 205]

*"Public body" means all legislative, executive, administrative, or advisory bodies of the State, State universities and colleges, counties, townships, cities, villages, incorporated towns, school districts and all other municipal corporations, boards, bureaus, committees or commissions of this State, any subsidiary bodies of any of the foregoing, including but not limited to committees and subcommittees thereof, and a School Finance Authority created under Article 1E of the School Code* [105 ILCS 5]. (Section 2(a) of FOIA)

*"Public records" means all records, reports, forms, writings, letters, memoranda, books, papers, maps, photographs, microfilms, cards, tapes, recordings, electronic data processing records, electronic communications, recorded information and all other documentary materials pertaining to the transaction of public business, regardless of physical form or characteristics, having been prepared by or for, or having been or being used by, received by, in the possession of or under the control of* the Agency*.* (Section 2 (c) of FOIA)

"Requester" is any person who has submitted to the Agency a written request for public records.

"Submitter" means any person who provides to the Agency public records that may or may not be available for public inspection.

*"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.* (Section 7(1)(c) of FOIA)

(Source: Amended at 34 Ill. Reg. 9028, effective June 22, 2010)