Form **990** Department of the Treasury Internal Revenue Service

Return of Organization Exempt From Income Tax

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except black lung benefit trust or private foundation)

▶ The organization may have to use a copy of this return to satisfy state reporting requirements.

OMB No 1545-0047 **2009** Open to Public Inspection

A For the 2009 calendar year, or tax year beginning JUL 1, 2009 and ending JUN 30, 2010

B Check if applicable: [ ] Address change [ ] Name change [ ] Initial return [ ] Terminated [ ] Amended return [ ] Application pending

C Name of organization: ENVIRONMENTAL LAW AND POLICY CENTER OF THE MIDWEST

Doing Business As

Number and street (or P.O. box if mail is not delivered to street address): 35 EAST WACKER DRIVE Room/suite: 1600

City or town, state or country, and ZIP + 4: CHICAGO, IL 60601-2208

D Employer identification number: 36-3866530

E Telephone number: (312)673-6500

G Gross receipts $ 6,702,312.

F Name and address of principal officer: HOWARD A. LEARNER SAME AS C ABOVE

H(a) Is this a group return for affiliates? [ ] Yes [X] No

H(b) Are all affiliates included? [ ] Yes [ ] No If "No," attach a list (see instructions)

H(c) Group exemption number ▶

I Tax-exempt status: [X] 501(c) (3) ◀ (insert no.) [ ] 4947(a)(1) or [ ] 527

J Website: ▶ WWW.ELPC.ORG

K Form of organization: [X] Corporation [ ] Trust [ ] Association [ ] Other ▶ **L** Year of formation: 1992 **M** State of legal domicile: IL

Part I Summary

Activities & Governance

1 Briefly describe the organization's mission or most significant activities: PUBLIC INTEREST ENVIRONMENTAL LEGAL ADVOCACY AND ECO-BUSINESS INNOVATION.

2 Check this box ▶ [ ] if the organization discontinued its operations or disposed of more than 25% of its net assets.

3	Number of voting members of the governing body (Part VI, line 1a)	3	16
4	Number of independent voting members of the governing body (Part VI, line 1b)	4	15
5	Total number of employees (Part V, line 2a)	5	57
6	Total number of volunteers (estimate if necessary)	6	10
7a	Total gross unrelated business revenue from Part VIII, column (C), line 12	7a	0.
b	Net unrelated business taxable income from Form 990-T, line 34	7b	0.

			Prior Year	Current Year
Revenue	8	Contributions and grants (Part VIII, line 1h)	6,273,055.	6,165,707.
	9	Program service revenue (Part VIII, line 2g)	225,470.	315,561.
	10	Investment income (Part VIII, column (A), lines 3, 4, and 7d)	260,284.	175,909.
	11	Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)		
	12	Total revenue - add lines 8 through 11 (must equal Part VIII, column (A), line 12)	6,758,809.	6,657,177.
Expenses	13	Grants and similar amounts paid (Part IX, column (A), lines 1-3)	148,175.	75,250.
	14	Benefits paid to or for members (Part IX, column (A), line 4)		
	15	Salaries, other compensation, employee benefits (Part IX, column (A), lines 5-10)	3,095,565.	3,589,934.
	16a	Professional fundraising fees (Part IX, column (A), line 11e)		
	b	Total fundraising expenses (Part IX, column (D), line 25) ▶ 402,746.		
	17	Other expenses (Part IX, column (A), lines 11a-11d, 11f-24f)	1,602,020.	1,846,312.
	18	Total expenses. Add lines 13-17 (must equal Part IX, column (A), line 25)	4,845,760.	5,511,496.
	19	Revenue less expenses. Subtract line 18 from line 12	1,913,049.	1,145,681.
			Beginning of Current Year	**End of Year**
Net Assets or Fund Balances	20	Total assets (Part X, line 16)	11,059,261.	12,314,341.
	21	Total liabilities (Part X, line 26)	164,245.	185,930.
	22	Net assets or fund balances. Subtract line 21 from line 20	10,895,016.	12,128,411.

RECEIVED MAY 23 2011

Part II Signature Block

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge

Sign Here ▶ Howard Learner Signature of officer Date 5/16/2011

▶ HOWARD A. LEARNER, PRESIDENT/EXECUTIVE DIRECTOR Type or print name and title

Paid Preparer's Use Only

Preparer's signature ▶ David Fajz Date 5-12-11 Check if self-employed ▶ [ ] Preparer's identifying number (see instructions)

Firm's name (or yours if self-employed), address, and ZIP + 4 ▶ RSM MCGLADREY INC ONE SOUTH WACKER DRIVE, SUITE 800 CHICAGO, IL 60606-3392

EIN ▶

Phone no. ▶ 312-634-3400

May the IRS discuss this return with the preparer shown above? (see instructions) [X] Yes [ ] No

SCANNED JUN 22 2011

616-20 12

Part III | Statement of Program Service Accomplishments

1 Briefly describe the organization's mission:
PUBLIC INTEREST ENVIRONMENTAL LEGAL AND POLICY ADVOCACY AND ECO-BUSINESS INNOVATION ORGANIZATION WORKING TO IMPROVE ENVIRONMENTAL QUALITY AND PROTECT OUR NATURAL HERITAGE.

2 Did the organization undertake any significant program services during the year which were not listed on the prior Form 990 or 990-EZ? ☐ Yes ☒ No
If "Yes," describe these new services on Schedule O.

3 Did the organization cease conducting, or make significant changes in how it conducts, any program services? ☐ Yes ☒ No
If "Yes," describe these changes on Schedule O.

4 Describe the exempt purpose achievements for each of the organization's three largest program services by expenses. Section 501(c)(3) and 501(c)(4) organizations and section 4947(a)(1) trusts are required to report the amount of grants and allocations to others, the total expenses, and revenue, if any, for each program service reported.

4a (Code:) (Expenses $ 1,913,065. including grants of $ 72,250.) (Revenue $ 149,754.)
ENERGY PROJECT - PROMOTING CLEAN ENERGY EFFICIENCY AND RENEWABLE ENERGY. ADVOCATE FOR CLEAN AIR TO PROTECT PUBLIC HEALTH AND CLEAN-UP OR SHUT DOWN OF CERTAIN HIGHLY-POLLUTING CONVENTIONAL POWER PLANTS.

4b (Code:) (Expenses $ 822,662. including grants of $) (Revenue $ 32,287.)
PRESERVING WILD AND NATURAL PLACES - PROTECT FRAGILE ECOSYSTEMS, BIODIVERSITY AND CLEAN WATER. ENFORCING ENVIRONMENTAL LAWS.

4c (Code:) (Expenses $ 534,463. including grants of $) (Revenue $ 33,879.)
TRANSPORTATION AND LAND USE - PROMOTE HIGH-SPEED RAIL, SMART TRANSPORTATION PLANNING AND CLEAN VEHICLES.

4d Other program services. (Describe in Schedule O.)
(Expenses $ 1,095,492. including grants of $ 3,000.) (Revenue $ 99,641.)

4e **Total program service expenses** ▶ $ 4,365,682.

Part IV Checklist of Required Schedules

			Yes	No
1	Is the organization described in section 501(c)(3) or 4947(a)(1) (other than a private foundation)? *If "Yes," complete Schedule A*	1	X	
2	Is the organization required to complete Schedule B, Schedule of Contributors?	2	X	
3	Did the organization engage in direct or indirect political campaign activities on behalf of or in opposition to candidates for public office? *If "Yes," complete Schedule C, Part I*	3		X
4	**Section 501(c)(3) organizations.** Did the organization engage in lobbying activities? *If "Yes," complete Schedule C, Part II*	4	X	
5	**Section 501(c)(4), 501(c)(5), and 501(c)(6) organizations.** Is the organization subject to the section 6033(e) notice and reporting requirement and proxy tax? *If "Yes," complete Schedule C, Part III*	5		
6	Did the organization maintain any donor advised funds or any similar funds or accounts where donors have the right to provide advice on the distribution or investment of amounts in such funds or accounts? *If "Yes," complete Schedule D, Part I*	6		X
7	Did the organization receive or hold a conservation easement, including easements to preserve open space, the environment, historic land areas, or historic structures? *If "Yes," complete Schedule D, Part II*	7		X
8	Did the organization maintain collections of works of art, historical treasures, or other similar assets? *If "Yes," complete Schedule D, Part III*	8		X
9	Did the organization report an amount in Part X, line 21; serve as a custodian for amounts not listed in Part X; or provide credit counseling, debt management, credit repair, or debt negotiation services? *If "Yes," complete Schedule D, Part IV*	9	X	
10	Did the organization, directly or through a related organization, hold assets in term, permanent, or quasi-endowments? *If "Yes," complete Schedule D, Part V*	10		X
11	Is the organization's answer to any of the following questions "Yes"? *If so, complete Schedule D, Parts VI, VII, VIII, IX, or X as applicable*	11	X	
	• Did the organization report an amount for land, buildings, and equipment in Part X, line 10? *If "Yes," complete Schedule D, Part VI.*			
	• Did the organization report an amount for investments - other securities in Part X, line 12 that is 5% or more of its total assets reported in Part X, line 16? *If "Yes," complete Schedule D, Part VII*			
	• Did the organization report an amount for investments - program related in Part X, line 13 that is 5% or more of its total assets reported in Part X, line 16? *If "Yes," complete Schedule D, Part VIII*			
	• Did the organization report an amount for other assets in Part X, line 15 that is 5% or more of its total assets reported in Part X, line 16? *If "Yes," complete Schedule D, Part IX.*			
	• Did the organization report an amount for other liabilities in Part X, line 25? *If "Yes," complete Schedule D, Part X.*			
	• Did the organization's separate or consolidated financial statements for the tax year include a footnote that addresses the organization's liability for uncertain tax positions under FIN 48? *If "Yes," complete Schedule D, Part X.*			
12	Did the organization obtain separate, independent audited financial statements for the tax year? *If "Yes," complete Schedule D, Parts XI, XII, and XIII*	12	X	
12A	Was the organization included in consolidated, independent audited financial statements for the tax year? *If "Yes," completing Schedule D, Parts XI, XII, and XIII is optional* — 12A Yes: ; No: X			
13	Is the organization a school described in section 170(b)(1)(A)(ii)? *If "Yes," complete Schedule E*	13		X
14a	Did the organization maintain an office, employees, or agents outside of the United States?	14a		X
b	Did the organization have aggregate revenues or expenses of more than $10,000 from grantmaking, fundraising, business, and program service activities outside the United States? *If "Yes," complete Schedule F, Part I*	14b		X
15	Did the organization report on Part IX, column (A), line 3, more than $5,000 of grants or assistance to any organization or entity located outside the United States? *If "Yes," complete Schedule F, Part II*	15		X
16	Did the organization report on Part IX, column (A), line 3, more than $5,000 of aggregate grants or assistance to individuals located outside the United States? *If "Yes," complete Schedule F, Part III*	16		X
17	Did the organization report a total of more than $15,000 of expenses for professional fundraising services on Part IX, column (A), lines 6 and 11e? *If "Yes," complete Schedule G, Part I*	17		X
18	Did the organization report more than $15,000 total of fundraising event gross income and contributions on Part VIII, lines 1c and 8a? *If "Yes," complete Schedule G, Part II*	18	X	
19	Did the organization report more than $15,000 of gross income from gaming activities on Part VIII, line 9a? *If "Yes," complete Schedule G, Part III*	19		X
20	Did the organization operate one or more hospitals? *If "Yes," complete Schedule H*	20		X

Part IV Checklist of Required Schedules *(continued)*

			Yes	No
21	Did the organization report more than $5,000 of grants and other assistance to governments and organizations in the United States on Part IX, column (A), line 1? *If "Yes," complete Schedule I, Parts I and II*	21	X	
22	Did the organization report more than $5,000 of grants and other assistance to individuals in the United States on Part IX, column (A), line 2? *If "Yes," complete Schedule I, Parts I and III*	22		X
23	Did the organization answer "Yes" to Part VII, Section A, line 3, 4, or 5 about compensation of the organization's current and former officers, directors, trustees, key employees, and highest compensated employees? *If "Yes," complete Schedule J*	23	X	
24a	Did the organization have a tax-exempt bond issue with an outstanding principal amount of more than $100,000 as of the last day of the year, that was issued after December 31, 2002? *If "Yes," answer lines 24b through 24d and complete Schedule K. If "No", go to line 25*	24a		X
b	Did the organization invest any proceeds of tax-exempt bonds beyond a temporary period exception?	24b		
c	Did the organization maintain an escrow account other than a refunding escrow at any time during the year to defease any tax-exempt bonds?	24c		
d	Did the organization act as an "on behalf of" issuer for bonds outstanding at any time during the year?	24d		
25a	**Section 501(c)(3) and 501(c)(4) organizations.** Did the organization engage in an excess benefit transaction with a disqualified person during the year? *If "Yes," complete Schedule L, Part I*	25a		X
b	Is the organization aware that it engaged in an excess benefit transaction with a disqualified person in a prior year, and that the transaction has not been reported on any of the organization's prior Forms 990 or 990-EZ? *If "Yes," complete Schedule L, Part I*	25b		X
26	Was a loan to or by a current or former officer, director, trustee, key employee, highly compensated employee, or disqualified person outstanding as of the end of the organization's tax year? *If "Yes," complete Schedule L, Part II*	26		X
27	Did the organization provide a grant or other assistance to an officer, director, trustee, key employee, substantial contributor, or a grant selection committee member, or to a person related to such an individual? *If "Yes," complete Schedule L, Part III*	27		X
28	Was the organization a party to a business transaction with one of the following parties, (see Schedule L, Part IV instructions for applicable filing thresholds, conditions, and exceptions):			
a	A current or former officer, director, trustee, or key employee? *If "Yes," complete Schedule L, Part IV*	28a		X
b	A family member of a current or former officer, director, trustee, or key employee? *If "Yes," complete Schedule L, Part IV*	28b		X
c	An entity of which a current or former officer, director, trustee, or key employee of the organization (or a family member) was an officer, director, trustee, or direct or indirect owner? *If "Yes," complete Schedule L, Part IV*	28c		X
29	Did the organization receive more than $25,000 in non-cash contributions? *If "Yes," complete Schedule M*	29		X
30	Did the organization receive contributions of art, historical treasures, or other similar assets, or qualified conservation contributions? *If "Yes," complete Schedule M*	30		X
31	Did the organization liquidate, terminate, or dissolve and cease operations? *If "Yes," complete Schedule N, Part I*	31		X
32	Did the organization sell, exchange, dispose of, or transfer more than 25% of its net assets? *If "Yes," complete Schedule N, Part II*	32		X
33	Did the organization own 100% of an entity disregarded as separate from the organization under Regulations sections 301.7701-2 and 301.7701-3? *If "Yes," complete Schedule R, Part I*	33		X
34	Was the organization related to any tax-exempt or taxable entity? *If "Yes," complete Schedule R, Parts II, III, IV, and V, line 1*	34		X
35	Is any related organization a controlled entity within the meaning of section 512(b)(13)? *If "Yes," complete Schedule R, Part V, line 2*	35		X
36	**Section 501(c)(3) organizations.** Did the organization make any transfers to an exempt non-charitable related organization? *If "Yes," complete Schedule R, Part V, line 2*	36		X
37	Did the organization conduct more than 5% of its activities through an entity that is not a related organization and that is treated as a partnership for federal income tax purposes? *If "Yes," complete Schedule R, Part VI*	37		X
38	Did the organization complete Schedule O and provide explanations in Schedule O for Part VI, lines 11 and 19? **Note.** All Form 990 filers are required to complete Schedule O.	38	X	

Part V Statements Regarding Other IRS Filings and Tax Compliance

					Yes	No
1a	Enter the number reported in Box 3 of Form 1096, Annual Summary and Transmittal of U.S. Information Returns. Enter -0- if not applicable	1a	24			
b	Enter the number of Forms W-2G included in line 1a. Enter -0- if not applicable	1b	0			
c	Did the organization comply with backup withholding rules for reportable payments to vendors and reportable gaming (gambling) winnings to prize winners?			1c		
2a	Enter the number of employees reported on Form W-3, Transmittal of Wage and Tax Statements, filed for the calendar year ending with or within the year covered by this return	2a	57			
b	If at least one is reported on line 2a, did the organization file all required federal employment tax returns?			2b	X	
	Note. If the sum of lines 1a and 2a is greater than 250, you may be required to *e-file* this return. (see instructions)					
3a	Did the organization have unrelated business gross income of $1,000 or more during the year covered by this return?			3a		X
b	If "Yes," has it filed a Form 990-T for this year? *If "No," provide an explanation in Schedule O*			3b		
4a	At any time during the calendar year, did the organization have an interest in, or a signature or other authority over, a financial account in a foreign country (such as a bank account, securities account, or other financial account)?			4a		X
b	If "Yes," enter the name of the foreign country: ▶					
	See the instructions for exceptions and filing requirements for Form TD F 90-22.1, Report of Foreign Bank and Financial Accounts.					
5a	Was the organization a party to a prohibited tax shelter transaction at any time during the tax year?			5a		X
b	Did any taxable party notify the organization that it was or is a party to a prohibited tax shelter transaction?			5b		X
c	If "Yes," to line 5a or 5b, did the organization file Form 8886-T, Disclosure by Tax-Exempt Entity Regarding Prohibited Tax Shelter Transaction?			5c		
6a	Does the organization have annual gross receipts that are normally greater than $100,000, and did the organization solicit any contributions that were not tax deductible?			6a		X
b	If "Yes," did the organization include with every solicitation an express statement that such contributions or gifts were not tax deductible?			6b		
7	**Organizations that may receive deductible contributions under section 170(c).**					
a	Did the organization receive a payment in excess of $75 made partly as a contribution and partly for goods and services provided to the payor?			7a	X	
b	If "Yes," did the organization notify the donor of the value of the goods or services provided?			7b	X	
c	Did the organization sell, exchange, or otherwise dispose of tangible personal property for which it was required to file Form 8282?			7c		X
d	If "Yes," indicate the number of Forms 8282 filed during the year	7d				
e	Did the organization, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?			7e		
f	Did the organization, during the year, pay premiums, directly or indirectly, on a personal benefit contract?			7f		
g	For all contributions of qualified intellectual property, did the organization file Form 8899 as required?			7g		
h	For contributions of cars, boats, airplanes, and other vehicles, did the organization file a Form 1098-C as required?			7h		
8	**Sponsoring organizations maintaining donor advised funds and section 509(a)(3) supporting organizations.** Did the supporting organization, or a donor advised fund maintained by a sponsoring organization, have excess business holdings at any time during the year?			8		
9	**Sponsoring organizations maintaining donor advised funds.**					
a	Did the organization make any taxable distributions under section 4966?			9a		
b	Did the organization make a distribution to a donor, donor advisor, or related person?			9b		
10	**Section 501(c)(7) organizations.** Enter:					
a	Initiation fees and capital contributions included on Part VIII, line 12	10a				
b	Gross receipts, included on Form 990, Part VIII, line 12, for public use of club facilities	10b				
11	**Section 501(c)(12) organizations.** Enter:					
a	Gross income from members or shareholders	11a				
b	Gross income from other sources (Do not net amounts due or paid to other sources against amounts due or received from them.)	11b				
12a	**Section 4947(a)(1) non-exempt charitable trusts.** Is the organization filing Form 990 in lieu of Form 1041?			12a		
b	If "Yes," enter the amount of tax-exempt interest received or accrued during the year	12b				

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Part VI **Governance, Management, and Disclosure** *For each "Yes" response to lines 2 through 7b below, and for a "No" response to line 8a, 8b, or 10b below, describe the circumstances, processes, or changes in Schedule O. See instructions.*

Section A. Governing Body and Management

				Yes	No
1a	Enter the number of voting members of the governing body	1a	16		
b	Enter the number of voting members that are independent	1b	15		
2	Did any officer, director, trustee, or key employee have a family relationship or a business relationship with any other officer, director, trustee, or key employee?		2		X
3	Did the organization delegate control over management duties customarily performed by or under the direct supervision of officers, directors or trustees, or key employees to a management company or other person?		3		X
4	Did the organization make any significant changes to its organizational documents since the prior Form 990 was filed?		4		X
5	Did the organization become aware during the year of a material diversion of the organization's assets?		5		X
6	Does the organization have members or stockholders?		6	X	
7a	Does the organization have members, stockholders, or other persons who may elect one or more members of the governing body?		7a		X
b	Are any decisions of the governing body subject to approval by members, stockholders, or other persons?		7b		X
8	Did the organization contemporaneously document the meetings held or written actions undertaken during the year by the following:				
a	The governing body?		8a	X	
b	Each committee with authority to act on behalf of the governing body?		8b	X	
9	Is there any officer, director, trustee, or key employee listed in Part VII, Section A, who cannot be reached at the organization's mailing address? *If "Yes," provide the names and addresses in Schedule O*		9		X

Section B. Policies *(This Section B requests information about policies not required by the Internal Revenue Code.)*

			Yes	No
10a	Does the organization have local chapters, branches, or affiliates?	10a		X
b	If "Yes," does the organization have written policies and procedures governing the activities of such chapters, affiliates, and branches to ensure their operations are consistent with those of the organization?	10b		
11	Has the organization provided a copy of this Form 990 to all members of its governing body before filing the form?	11	X	
11A	Describe in Schedule O the process, if any, used by the organization to review this Form 990			
12a	Does the organization have a written conflict of interest policy? *If "No," go to line 13*	12a	X	
b	Are officers, directors or trustees, and key employees required to disclose annually interests that could give rise to conflicts?	12b	X	
c	Does the organization regularly and consistently monitor and enforce compliance with the policy? *If "Yes," describe in Schedule O how this is done*	12c	X	
13	Does the organization have a written whistleblower policy?	13	X	
14	Does the organization have a written document retention and destruction policy?	14	X	
15	Did the process for determining compensation of the following persons include a review and approval by independent persons, comparability data, and contemporaneous substantiation of the deliberation and decision?			
a	The organization's CEO, Executive Director, or top management official	15a	X	
b	Other officers or key employees of the organization	15b		X
	If "Yes" to line 15a or 15b, describe the process in Schedule O. (See instructions.)			
16a	Did the organization invest in, contribute assets to, or participate in a joint venture or similar arrangement with a taxable entity during the year?	16a		X
b	If "Yes," has the organization adopted a written policy or procedure requiring the organization to evaluate its participation in joint venture arrangements under applicable federal tax law, and taken steps to safeguard the organization's exempt status with respect to such arrangements?	16b		

Section C. Disclosure

17 List the states with which a copy of this Form 990 is required to be filed ▶ IL

18 Section 6104 requires an organization to make its Forms 1023 (or 1024 if applicable), 990, and 990-T (501(c)(3)s only) available for public inspection. Indicate how you make these available. Check all that apply.

[X] Own website [ ] Another's website [X] Upon request

19 Describe in Schedule O whether (and if so, how), the organization makes its governing documents, conflict of interest policy, and financial statements available to the public.

20 State the name, physical address, and telephone number of the person who possesses the books and records of the organization: ▶

KEVIN BRUBAKER - (312) 673-6500
35 EAST WACKER DRIVE, STE 1600, CHICAGO, IL 60601-2208

Part VII Compensation of Officers, Directors, Trustees, Key Employees, Highest Compensated Employees, and Independent Contractors

Section A. Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees

1a Complete this table for all persons required to be listed. Report compensation for the calendar year ending with or within the organization's tax year. Use Schedule J-2 if additional space is needed.

- List all of the organization's **current** officers, directors, trustees (whether individuals or organizations), regardless of amount of compensation. Enter -0- in columns (D), (E), and (F) if no compensation was paid.
- List all of the organization's **current** key employees See instructions for definition of "key employee."
- List the organization's five **current** highest compensated employees (other than an officer, director, trustee, or key employee) who received reportable compensation (Box 5 of Form W-2 and/or Box 7 of Form 1099-MISC) of more than $100,000 from the organization and any related organizations.
- List all of the organization's **former** officers, key employees, and highest compensated employees who received more than $100,000 of reportable compensation from the organization and any related organizations.
- List all of the organization's **former directors or trustees** that received, in the capacity as a former director or trustee of the organization, more than $10,000 of reportable compensation from the organization and any related organizations.

List persons in the following order: individual trustees or directors; institutional trustees; officers; key employees; highest compensated employees; and former such persons.

☐ Check this box if the organization did not compensate any current officer, director, or trustee.

(A) Name and Title	(B) Average hours per week	(C) Position: Individual trustee or director	Institutional trustee	Officer	Key employee	Highest compensated employee	Former	(D) Reportable compensation from the organization (W-2/1099-MISC)	(E) Reportable compensation from related organizations (W-2/1099-MISC)	(F) Estimated amount of other compensation from the organization and related organizations
HOWARD A. LEARNER PRESIDENT & EXECUTIVE DIRECTOR	60.00	X		X				257,338.	0.	31,896.
HARRY W. DRUCKER CHAIR	4.00	X		X				0.	0.	0.
DANIEL LEVIN VICE-CHAIR	1.00	X		X				0.	0.	0.
NANCY LOEB TREASURER & SECRETARY	2.50	X		X				0.	0.	0.
CAMERON S. AVERY DIRECTOR	1.00	X						0.	0.	0.
RICHARD DAY DIRECTOR	1.00	X						0.	0.	0.
ELLEN C. CRAIG DIRECTOR	1.00	X						0.	0.	0.
ROBERT L. GRAHAM DIRECTOR	1.00	X						0.	0.	0.
LOIS LIPTON DIRECTOR	1.00	X						0.	0.	0.
WILLIAM MCNARY DIRECTOR	1.00	X						0.	0.	0.
BOB J. NASH DIRECTOR	1.00	X						0.	0.	0.
KNUTE NADELHOFFER DIRECTOR	1.00	X						0.	0.	0.
SMITA SHAH DIRECTOR	1.00	X						0.	0.	0.
DAVID WILHELM DIRECTOR	1.00	X						0.	0.	0.
BRADY C. WILLIAMSON DIRECTOR	1.00	X						0.	0.	0.
WILLIAM F. MCCALPIN DIRECTOR	1.00	X						0.	0.	0.
KEVIN BRUBAKER DEPUTY DIRECTOR	50.00					X		135,359.	0.	31,896.

Part VII Section A. Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees *(continued)*

(A) Name and title	(B) Average hours per week	(C) Position (check all that apply): Individual trustee or director	Institutional trustee	Officer	Key employee	Highest compensated employee	Former	(D) Reportable compensation from the organization (W-2/1099-MISC)	(E) Reportable compensation from related organizations (W-2/1099-MISC)	(F) Estimated amount of other compensation from the organization and related organizations
ALBERT ETTINGER SENIOR ATTORNEY	50.00					X		143,085.	0.	31,896.
JOHN MOORE SENIOR ATTORNEY	50.00					X		125,500.	0.	20,779.
LINDA LIPTON DIRECTOR OF DEVELOPMENT	50.00					X		131,040.	0.	5,658.
ALLEN GROSBOLL CO-LEGISLATIVE DIRECTOR	50.00					X		107,300.	0.	19,905.
1b Total ▶								899,622.	0.	142,030.

2 Total number of individuals (including but not limited to those listed above) who received more than $100,000 in reportable compensation from the organization ▶ 6

		Yes	No
3 Did the organization list any **former** officer, director or trustee, key employee, or highest compensated employee on line 1a? *If "Yes," complete Schedule J for such individual*	3		X
4 For any individual listed on line 1a, is the sum of reportable compensation and other compensation from the organization and related organizations greater than $150,000? *If "Yes," complete Schedule J for such individual*	4	X	
5 Did any person listed on line 1a receive or accrue compensation from any unrelated organization for services rendered to the organization? *If "Yes," complete Schedule J for such person*	5		X

Section B. Independent Contractors

1 Complete this table for your five highest compensated independent contractors that received more than $100,000 of compensation from the organization. NONE

(A) Name and business address	(B) Description of services	(C) Compensation

2 Total number of independent contractors (including but not limited to those listed above) who received more than $100,000 in compensation from the organization ▶ 0

Part VIII Statement of Revenue

			(A) Total revenue	(B) Related or exempt function revenue	(C) Unrelated business revenue	(D) Revenue excluded from tax under sections 512, 513, or 514
Contributions, gifts, grants and other similar amounts	1 a Federated campaigns	1a				
	b Membership dues	1b				
	c Fundraising events	1c 41,515.				
	d Related organizations	1d				
	e Government grants (contributions)	1e				
	f All other contributions, gifts, grants, and similar amounts not included above	1f 6124192.				
	g Noncash contributions included in lines 1a-1f: $					
	h Total. Add lines 1a-1f	▶	6165707.			
Program Service Revenue		Business Code				
	2 a CONTRACT INCOME	900099	231,249.	231,249.		
	b OTHER INCOME	900099	59,539.	59,539.		
	c FEE AWARDS	900099	14,073.	14,073.		
	d CONFERENCE INCOME	900099	10,700.	10,700.		
	e					
	f All other program service revenue					
	g Total. Add lines 2a-2f	▶	315,561.			
Other Revenue	3 Investment income (including dividends, interest, and other similar amounts)	▶	175,909.			175,909.
	4 Income from investment of tax-exempt bond proceeds	▶				
	5 Royalties	▶				
		(i) Real / (ii) Personal				
	6 a Gross Rents					
	b Less: rental expenses					
	c Rental income or (loss)					
	d Net rental income or (loss)	▶				
	7 a Gross amount from sales of assets other than inventory	(i) Securities / (ii) Other				
	b Less: cost or other basis and sales expenses					
	c Gain or (loss)					
	d Net gain or (loss)	▶				
	8 a Gross income from fundraising events (not including $ 41,515. of contributions reported on line 1c). See Part IV, line 18	a 45,135.				
	b Less: direct expenses	b 45,135.				
	c Net income or (loss) from fundraising events	▶	0.			
	9 a Gross income from gaming activities. See Part IV, line 19	a				
	b Less: direct expenses	b				
	c Net income or (loss) from gaming activities	▶				
	10 a Gross sales of inventory, less returns and allowances	a				
	b Less: cost of goods sold	b				
	c Net income or (loss) from sales of inventory	▶				
	Miscellaneous Revenue	Business Code				
	11 a					
	b					
	c					
	d All other revenue					
	e Total. Add lines 11a-11d	▶				
	12 Total revenue. See instructions.	▶	6657177.	315,561.	0.	175,909.

Part IX Statement of Functional Expenses

Section 501(c)(3) and 501(c)(4) organizations must complete all columns.
All other organizations must complete column (A) but are not required to complete columns (B), (C), and (D).

Do not include amounts reported on lines 6b, 7b, 8b, 9b, and 10b of Part VIII.	(A) Total expenses	(B) Program service expenses	(C) Management and general expenses	(D) Fundraising expenses
1 Grants and other assistance to governments and organizations in the U.S. See Part IV, line 21	75,250.	75,250.		
2 Grants and other assistance to individuals in the U.S. See Part IV, line 22				
3 Grants and other assistance to governments, organizations, and individuals outside the U.S. See Part IV, lines 15 and 16				
4 Benefits paid to or for members				
5 Compensation of current officers, directors, trustees, and key employees	289,234.	242,487.	23,567.	23,180.
6 Compensation not included above, to disqualified persons (as defined under section 4958(f)(1)) and persons described in section 4958(c)(3)(B)				
7 Other salaries and wages	2,614,838.	2,192,220.	213,059.	209,559.
8 Pension plan contributions (include section 401(k) and section 403(b) employer contributions)	167,956.	140,810.	13,686.	13,460.
9 Other employee benefits	311,182.	260,888.	25,355.	24,939.
10 Payroll taxes	206,724.	173,313.	16,844.	16,567.
11 Fees for services (non-employees):				
a Management				
b Legal				
c Accounting	17,350.	14,546.	1,414.	1,390.
d Lobbying				
e Professional fundraising services. See Part IV, line 17				
f Investment management fees				
g Other	637,682.	536,943.	68,228.	32,511.
12 Advertising and promotion				
13 Office expenses	238,522.	157,083.	56,291.	25,148.
14 Information technology	23,627.	18,591.	3,333.	1,703.
15 Royalties				
16 Occupancy	260,116.	220,864.	20,511.	18,741.
17 Travel	217,956.	202,108.	13,201.	2,647.
18 Payments of travel or entertainment expenses for any federal, state, or local public officials				
19 Conferences, conventions, and meetings	97,954.	52,927.	16,512.	28,515.
20 Interest				
21 Payments to affiliates				
22 Depreciation, depletion, and amortization	30,070.	22,138.	5,816.	2,116.
23 Insurance	17,389.	14,844.	1,294.	1,251.
24 Other expenses. Itemize expenses not covered above. (Expenses grouped together and labeled miscellaneous may not exceed 5% of total expenses shown on line 25 below.)				
a LOSS ON INVESTMENTS	235,554.		235,554.	
b PUBLIC AWARENESS	29,048.	27,497.	1,374.	177.
c MOVING EXPENSE	22,236.		22,236.	
d TRAINING AND RECRUITMEN	11,064.	9,461.	779.	824.
e MISCELLANEOUS	7,744.	3,712.	4,014.	18.
f All other expenses				
25 **Total functional expenses.** Add lines 1 through 24f	5,511,496.	4,365,682.	743,068.	402,746.
26 **Joint costs.** Check here ▶ ☐ if following SOP 98-2. Complete this line only if the organization reported in column (B) joint costs from a combined educational campaign and fundraising solicitation				

Part X Balance Sheet

			(A) Beginning of year		(B) End of year
Assets	1	Cash - non-interest-bearing	1,360,184.	1	655,193.
	2	Savings and temporary cash investments	6,853,005.	2	9,052,389.
	3	Pledges and grants receivable, net	1,805,922.	3	1,148,469.
	4	Accounts receivable, net		4	
	5	Receivables from current and former officers, directors, trustees, key employees, and highest compensated employees. Complete Part II of Schedule L		5	
	6	Receivables from other disqualified persons (as defined under section 4958(f)(1)) and persons described in section 4958(c)(3)(B) Complete Part II of Schedule L		6	
	7	Notes and loans receivable, net		7	
	8	Inventories for sale or use		8	
	9	Prepaid expenses and deferred charges	19,161.	9	4,522.
	10a	Land, buildings, and equipment: cost or other basis. Complete Part VI of Schedule D — 10a: 467,900.			
	b	Less: accumulated depreciation — 10b: 93,114.	62,945.	10c	374,786.
	11	Investments - publicly traded securities	958,044.	11	1,078,982.
	12	Investments - other securities. See Part IV, line 11		12	
	13	Investments - program-related. See Part IV, line 11		13	
	14	Intangible assets		14	
	15	Other assets. See Part IV, line 11		15	
	16	**Total assets.** Add lines 1 through 15 (must equal line 34)	11,059,261.	16	12,314,341.
Liabilities	17	Accounts payable and accrued expenses	164,245.	17	185,930.
	18	Grants payable		18	
	19	Deferred revenue		19	
	20	Tax-exempt bond liabilities		20	
	21	Escrow or custodial account liability. Complete Part IV of Schedule D		21	
	22	Payables to current and former officers, directors, trustees, key employees, highest compensated employees, and disqualified persons. Complete Part II of Schedule L		22	
	23	Secured mortgages and notes payable to unrelated third parties		23	
	24	Unsecured notes and loans payable to unrelated third parties		24	
	25	Other liabilities. Complete Part X of Schedule D		25	
	26	**Total liabilities.** Add lines 17 through 25	164,245.	26	185,930.
Net Assets or Fund Balances		**Organizations that follow SFAS 117, check here ▶ [X] and complete lines 27 through 29, and lines 33 and 34.**			
	27	Unrestricted net assets	6,719,159.	27	8,340,376.
	28	Temporarily restricted net assets	4,175,857.	28	3,788,035.
	29	Permanently restricted net assets		29	
		Organizations that do not follow SFAS 117, check here ▶ [ ] and complete lines 30 through 34.			
	30	Capital stock or trust principal, or current funds		30	
	31	Paid-in or capital surplus, or land, building, or equipment fund		31	
	32	Retained earnings, endowment, accumulated income, or other funds		32	
	33	Total net assets or fund balances	10,895,016.	33	12,128,411.
	34	Total liabilities and net assets/fund balances	11,059,261.	34	12,314,341.

Part XI Financial Statements and Reporting

			Yes	No
1	Accounting method used to prepare the Form 990: ☐ Cash ☒ Accrual ☐ Other If the organization changed its method of accounting from a prior year or checked "Other," explain in Schedule O.			
2a	Were the organization's financial statements compiled or reviewed by an independent accountant?	2a		X
b	Were the organization's financial statements audited by an independent accountant?	2b	X	
c	If "Yes" to line 2a or 2b, does the organization have a committee that assumes responsibility for oversight of the audit, review, or compilation of its financial statements and selection of an independent accountant?	2c	X	
	If the organization changed either its oversight process or selection process during the tax year, explain in Schedule O.			
d	If "Yes" to line 2a or 2b, check a box below to indicate whether the financial statements for the year were issued on a consolidated basis, separate basis, or both: ☒ Separate basis ☐ Consolidated basis ☐ Both consolidated and separate basis			
3a	As a result of a federal award, was the organization required to undergo an audit or audits as set forth in the Single Audit Act and OMB Circular A-133?	3a		X
b	If "Yes," did the organization undergo the required audit or audits? If the organization did not undergo the required audit or audits, explain why in Schedule O and describe any steps taken to undergo such audits.	3b		

SCHEDULE A (Form 990 or 990-EZ) Department of the Treasury Internal Revenue Service	**Public Charity Status and Public Support** Complete if the organization is a section 501(c)(3) organization or a section 4947(a)(1) nonexempt charitable trust. ▶ Attach to Form 990 or Form 990-EZ. ▶ See separate instructions.	OMB No 1545-0047 **2009** Open to Public Inspection

Name of the organization	Employer identification number
ENVIRONMENTAL LAW AND POLICY CENTER OF THE MIDWEST	36-3866530

Part I — Reason for Public Charity Status (All organizations must complete this part.) See instructions.

The organization is not a private foundation because it is: (For lines 1 through 11, check only one box.)

1 ☐ A church, convention of churches, or association of churches described in **section 170(b)(1)(A)(i).**

2 ☐ A school described in **section 170(b)(1)(A)(ii).** (Attach Schedule E.)

3 ☐ A hospital or a cooperative hospital service organization described in **section 170(b)(1)(A)(iii).**

4 ☐ A medical research organization operated in conjunction with a hospital described in **section 170(b)(1)(A)(iii).** Enter the hospital's name, city, and state:

5 ☐ An organization operated for the benefit of a college or university owned or operated by a governmental unit described in **section 170(b)(1)(A)(iv).** (Complete Part II.)

6 ☐ A federal, state, or local government or governmental unit described in **section 170(b)(1)(A)(v).**

7 ☒ An organization that normally receives a substantial part of its support from a governmental unit or from the general public described in **section 170(b)(1)(A)(vi).** (Complete Part II.)

8 ☐ A community trust described in **section 170(b)(1)(A)(vi).** (Complete Part II.)

9 ☐ An organization that normally receives: (1) more than 33 1/3% of its support from contributions, membership fees, and gross receipts from activities related to its exempt functions - subject to certain exceptions, and (2) no more than 33 1/3% of its support from gross investment income and unrelated business taxable income (less section 511 tax) from businesses acquired by the organization after June 30, 1975. See **section 509(a)(2).** (Complete Part III.)

10 ☐ An organization organized and operated exclusively to test for public safety. See **section 509(a)(4).**

11 ☐ An organization organized and operated exclusively for the benefit of, to perform the functions of, or to carry out the purposes of one or more publicly supported organizations described in section 509(a)(1) or section 509(a)(2). See **section 509(a)(3).** Check the box that describes the type of supporting organization and complete lines 11e through 11h.

a ☐ Type I b ☐ Type II c ☐ Type III - Functionally integrated d ☐ Type III - Other

e ☐ By checking this box, I certify that the organization is not controlled directly or indirectly by one or more disqualified persons other than foundation managers and other than one or more publicly supported organizations described in section 509(a)(1) or section 509(a)(2).

f If the organization received a written determination from the IRS that it is a Type I, Type II, or Type III supporting organization, check this box ☐

g Since August 17, 2006, has the organization accepted any gift or contribution from any of the following persons?

		Yes	No
(i) A person who directly or indirectly controls, either alone or together with persons described in (ii) and (iii) below, the governing body of the supported organization?	11g(i)		
(ii) A family member of a person described in (i) above?	11g(ii)		
(iii) A 35% controlled entity of a person described in (i) or (ii) above?	11g(iii)		

h Provide the following information about the supported organization(s).

(i) Name of supported organization	(ii) EIN	(iii) Type of organization (described on lines 1-9 above or IRC section (see instructions))	(iv) Is the organization in col. (i) listed in your governing document?		(v) Did you notify the organization in col. (i) of your support?		(vi) Is the organization in col. (i) organized in the U.S.?		(vii) Amount of support
			Yes	No	Yes	No	Yes	No	
Total									

Part II Support Schedule for Organizations Described in Sections 170(b)(1)(A)(iv) and 170(b)(1)(A)(vi)

(Complete only if you checked the box on line 5, 7, or 8 of Part I.)

Section A. Public Support

Calendar year (or fiscal year beginning in) ▶	(a) 2005	(b) 2006	(c) 2007	(d) 2008	(e) 2009	(f) Total
1 Gifts, grants, contributions, and membership fees received. (Do not include any "unusual grants.")	3,843,626.	4,021,089.	5,233,269.	6,273,055.	6,165,707.	25,536,746.
2 Tax revenues levied for the organization's benefit and either paid to or expended on its behalf						
3 The value of services or facilities furnished by a governmental unit to the organization without charge						
4 **Total.** Add lines 1 through 3	3,843,626.	4,021,089.	5,233,269.	6,273,055.	6,165,707.	25,536,746.
5 The portion of total contributions by each person (other than a governmental unit or publicly supported organization) included on line 1 that exceeds 2% of the amount shown on line 11, column (f)						8,645,300.
6 **Public support.** Subtract line 5 from line 4						16,891,446.

Section B. Total Support

Calendar year (or fiscal year beginning in) ▶	(a) 2005	(b) 2006	(c) 2007	(d) 2008	(e) 2009	(f) Total
7 Amounts from line 4	3,843,626.	4,021,089.	5,233,269.	6,273,055.	6,165,707.	25,536,746.
8 Gross income from interest, dividends, payments received on securities loans, rents, royalties and income from similar sources	163,522.	236,748.	261,803.	260,284.	175,909.	1,098,266.
9 Net income from unrelated business activities, whether or not the business is regularly carried on						
10 Other income. Do not include gain or loss from the sale of capital assets (Explain in Part IV.)						
11 **Total support.** Add lines 7 through 10						26,635,012.

12 Gross receipts from related activities, etc. (see instructions) | 12 | 1,311,641.

13 **First five years.** If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a section 501(c)(3) organization, check this box and stop here ▶ ☐

Section C. Computation of Public Support Percentage

14 Public support percentage for 2009 (line 6, column (f) divided by line 11, column (f)) | 14 | 63.42 %

15 Public support percentage from 2008 Schedule A, Part II, line 14 | 15 | 63.82 %

16a **33 1/3% support test - 2009.** If the organization did not check the box on line 13, and line 14 is 33 1/3% or more, check this box and **stop here.** The organization qualifies as a publicly supported organization ▶ [X]

b **33 1/3% support test - 2008.** If the organization did not check a box on line 13 or 16a, and line 15 is 33 1/3% or more, check this box and **stop here.** The organization qualifies as a publicly supported organization ▶ ☐

17a **10% -facts-and-circumstances test - 2009.** If the organization did not check a box on line 13, 16a, or 16b, and line 14 is 10% or more, and if the organization meets the "facts-and-circumstances" test, check this box and **stop here.** Explain in Part IV how the organization meets the "facts-and-circumstances" test. The organization qualifies as a publicly supported organization ▶ ☐

b **10% -facts-and-circumstances test - 2008.** If the organization did not check a box on line 13, 16a, 16b, or 17a, and line 15 is 10% or more, and if the organization meets the "facts-and-circumstances" test, check this box and **stop here.** Explain in Part IV how the organization meets the "facts-and-circumstances" test. The organization qualifies as a publicly supported organization ▶ ☐

18 **Private foundation.** If the organization did not check a box on line 13, 16a, 16b, 17a, or 17b, check this box and see instructions ▶ ☐

Part III **Support Schedule for Organizations Described in Section 509(a)(2)** (Complete only if you checked the box on line 9 of Part I.)

Section A. Public Support

Calendar year (or fiscal year beginning in) ▶	(a) 2005	(b) 2006	(c) 2007	(d) 2008	(e) 2009	(f) Total
1 Gifts, grants, contributions, and membership fees received (Do not include any "unusual grants.")						
2 Gross receipts from admissions, merchandise sold or services performed, or facilities furnished in any activity that is related to the organization's tax-exempt purpose						
3 Gross receipts from activities that are not an unrelated trade or business under section 513						
4 Tax revenues levied for the organization's benefit and either paid to or expended on its behalf						
5 The value of services or facilities furnished by a governmental unit to the organization without charge						
6 **Total.** Add lines 1 through 5						
7a Amounts included on lines 1, 2, and 3 received from disqualified persons						
b Amounts included on lines 2 and 3 received from other than disqualified persons that exceed the greater of $5,000 or 1% of the amount on line 13 for the year						
c Add lines 7a and 7b						
8 **Public support** (Subtract line 7c from line 6.)						

Section B. Total Support

Calendar year (or fiscal year beginning in) ▶	(a) 2005	(b) 2006	(c) 2007	(d) 2008	(e) 2009	(f) Total
9 Amounts from line 6						
10a Gross income from interest, dividends, payments received on securities loans, rents, royalties and income from similar sources						
b Unrelated business taxable income (less section 511 taxes) from businesses acquired after June 30, 1975						
c Add lines 10a and 10b						
11 Net income from unrelated business activities not included in line 10b, whether or not the business is regularly carried on						
12 Other income. Do not include gain or loss from the sale of capital assets (Explain in Part IV.)						
13 **Total support** (Add lines 9, 10c, 11, and 12)						

14 **First five years.** If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a section 501(c)(3) organization, check this box and **stop here** ▶ ☐

Section C. Computation of Public Support Percentage

15	Public support percentage for 2009 (line 8, column (f) divided by line 13, column (f))	15	%
16	Public support percentage from 2008 Schedule A, Part III, line 15	16	%

Section D. Computation of Investment Income Percentage

17	Investment income percentage for **2009** (line 10c, column (f) divided by line 13, column (f))	17	%
18	Investment income percentage from **2008** Schedule A, Part III, line 17	18	%

19a **33 1/3% support tests - 2009.** If the organization did not check the box on line 14, and line 15 is more than 33 1/3%, and line 17 is not more than 33 1/3%, check this box and **stop here.** The organization qualifies as a publicly supported organization ▶ ☐

b **33 1/3% support tests - 2008.** If the organization did not check a box on line 14 or line 19a, and line 16 is more than 33 1/3%, and line 18 is not more than 33 1/3%, check this box and **stop here.** The organization qualifies as a publicly supported organization ▶ ☐

20 **Private foundation.** If the organization did not check a box on line 14, 19a, or 19b, check this box and see instructions ▶ ☐

SCHEDULE C (Form 990 or 990-EZ)

Department of the Treasury
Internal Revenue Service

Political Campaign and Lobbying Activities

For Organizations Exempt From Income Tax Under section 501(c) and section 527

▶ **Complete if the organization is described below.**
▶ **Attach to Form 990 or Form 990-EZ.** ▶ **See separate instructions.**

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Open to Public Inspection

If the organization answered "Yes," to Form 990, Part IV, line 3, or Form 990-EZ, Part VI, line 46 (Political Campaign Activities), then

- Section 501(c)(3) organizations: Complete Parts I-A and B. Do not complete Part I-C.
- Section 501(c) (other than section 501(c)(3)) organizations: Complete Parts I-A and C below. Do not complete Part I-B.
- Section 527 organizations: Complete Part I-A only.

If the organization answered "Yes," to Form 990, Part IV, line 4, or Form 990-EZ, Part VI, line 47 (Lobbying Activities), then

- Section 501(c)(3) organizations that have filed Form 5768 (election under section 501(h)): Complete Part II-A. Do not complete Part II-B.
- Section 501(c)(3) organizations that have NOT filed Form 5768 (election under section 501(h)): Complete Part II-B. Do not complete Part II-A.

If the organization answered "Yes," to Form 990, Part IV, line 5 (Proxy Tax), then

- Section 501(c)(4), (5), or (6) organizations: Complete Part III

Name of organization	Employer identification number
ENVIRONMENTAL LAW AND POLICY CENTER OF THE MIDWEST	36-3866530

Part I-A **Complete if the organization is exempt under section 501(c) or is a section 527 organization.**

1 Provide a description of the organization's direct and indirect political campaign activities in Part IV.

2 Political expenditures ▶ $

3 Volunteer hours

Part I-B **Complete if the organization is exempt under section 501(c)(3).**

1 Enter the amount of any excise tax incurred by the organization under section 4955 ▶ $

2 Enter the amount of any excise tax incurred by organization managers under section 4955 ▶ $

3 If the organization incurred a section 4955 tax, did it file Form 4720 for this year? ☐ Yes ☐ No

4a Was a correction made? ☐ Yes ☐ No

b If "Yes," describe in Part IV.

Part I-C **Complete if the organization is exempt under section 501(c), except section 501(c)(3).**

1 Enter the amount directly expended by the filing organization for section 527 exempt function activities ▶ $

2 Enter the amount of the filing organization's funds contributed to other organizations for section 527 exempt function activities ▶ $

3 Total exempt function expenditures. Add lines 1 and 2. Enter here and on Form 1120-POL, line 17b ▶ $

4 Did the filing organization file **Form 1120-POL** for this year? ☐ Yes ☐ No

5 Enter the names, addresses and employer identification number (EIN) of all section 527 political organizations to which payments were made. For each organization listed, enter the amount paid from the filing organization's funds. Also enter the amount of political contributions received that were promptly and directly delivered to a separate political organization, such as a separate segregated fund or a political action committee (PAC). If additional space is needed, provide information in Part IV.

(a) Name	(b) Address	(c) EIN	(d) Amount paid from filing organization's funds. If none, enter -0-.	(e) Amount of political contributions received and promptly and directly delivered to a separate political organization. If none, enter -0-.

Part II-A Complete if the organization is exempt under section 501(c)(3) and filed Form 5768 (election under section 501(h)).

A Check ▶ ☐ if the filing organization belongs to an affiliated group.
B Check ▶ ☐ if the filing organization checked box A and "limited control" provisions apply.

Limits on Lobbying Expenditures (The term "expenditures" means amounts paid or incurred.)	(a) Filing organization's totals	(b) Affiliated group totals
1a Total lobbying expenditures to influence public opinion (grass roots lobbying)	84,254.	
b Total lobbying expenditures to influence a legislative body (direct lobbying)	256,708.	
c Total lobbying expenditures (add lines 1a and 1b)	340,962.	
d Other exempt purpose expenditures	5,170,534.	
e Total exempt purpose expenditures (add lines 1c and 1d)	5,511,496.	
f Lobbying nontaxable amount. Enter the amount from the following table in both columns.	425,575.	

If the amount on line 1e, column (a) or (b) is:	The lobbying nontaxable amount is:
Not over $500,000	20% of the amount on line 1e.
Over $500,000 but not over $1,000,000	$100,000 plus 15% of the excess over $500,000.
Over $1,000,000 but not over $1,500,000	$175,000 plus 10% of the excess over $1,000,000.
Over $1,500,000 but not over $17,000,000	$225,000 plus 5% of the excess over $1,500,000.
Over $17,000,000	$1,000,000.

	(a) Filing organization's totals	(b) Affiliated group totals
g Grassroots nontaxable amount (enter 25% of line 1f)	106,394.	
h Subtract line 1g from line 1a. If zero or less, enter -0-	0.	
i Subtract line 1f from line 1c. If zero or less, enter -0-	0.	

j If there is an amount other than zero on either line 1h or line 1i, did the organization file Form 4720 reporting section 4911 tax for this year? ☐ Yes ☐ No

4-Year Averaging Period Under Section 501(h)
(Some organizations that made a section 501(h) election do not have to complete all of the five columns below. See the instructions for lines 2a through 2f on page 4.)

Lobbying Expenditures During 4-Year Averaging Period

Calendar year (or fiscal year beginning in)	(a) 2006	(b) 2007	(c) 2008	(d) 2009	(e) Total
2a Lobbying nontaxable amount	322,956.	361,054.	392,288.	425,575.	1,501,873.
b Lobbying ceiling amount (150% of line 2a, column(e))					2,252,810.
c Total lobbying expenditures	172,990.	263,676.	229,736.	340,962.	1,007,364.
d Grassroots nontaxable amount	80,739.	90,264.	98,072.	106,394.	375,469.
e Grassroots ceiling amount (150% of line 2d, column (e))					563,204.
f Grassroots lobbying expenditures	38,560.	80,862.	60,836.	84,254.	264,512.

Part II-B Complete if the organization is exempt under section 501(c)(3) and has NOT filed Form 5768 (election under section 501(h)).

		(a) Yes	(a) No	(b) Amount
1	During the year, did the filing organization attempt to influence foreign, national, state or local legislation, including any attempt to influence public opinion on a legislative matter or referendum, through the use of:			
a	Volunteers?			
b	Paid staff or management (include compensation in expenses reported on lines 1c through 1i)?			
c	Media advertisements?			
d	Mailings to members, legislators, or the public?			
e	Publications, or published or broadcast statements?			
f	Grants to other organizations for lobbying purposes?			
g	Direct contact with legislators, their staffs, government officials, or a legislative body?			
h	Rallies, demonstrations, seminars, conventions, speeches, lectures, or any similar means?			
i	Other activities? If "Yes," describe in Part IV			
j	Total. Add lines 1c through 1i			
2a	Did the activities in line 1 cause the organization to be not described in section 501(c)(3)?			
b	If "Yes," enter the amount of any tax incurred under section 4912			
c	If "Yes," enter the amount of any tax incurred by organization managers under section 4912			
d	If the filing organization incurred a section 4912 tax, did it file Form 4720 for this year?			

Part III-A Complete if the organization is exempt under section 501(c)(4), section 501(c)(5), or section 501(c)(6).

			Yes	No
1	Were substantially all (90% or more) dues received nondeductible by members?	1		
2	Did the organization make only in-house lobbying expenditures of $2,000 or less?	2		
3	Did the organization agree to carryover lobbying and political expenditures from the prior year?	3		

Part III-B Complete if the organization is exempt under section 501(c)(4), section 501(c)(5), or section 501(c)(6) if BOTH Part III-A, lines 1 and 2 are answered "No" OR if Part III-A, line 3 is answered "Yes."

1	Dues, assessments and similar amounts from members	1	
2	Section 162(e) nondeductible lobbying and political expenditures **(do not include amounts of political expenses for which the section 527(f) tax was paid).**		
a	Current year	2a	
b	Carryover from last year	2b	
c	Total	2c	
3	Aggregate amount reported in section 6033(e)(1)(A) notices of nondeductible section 162(e) dues	3	
4	If notices were sent and the amount on line 2c exceeds the amount on line 3, what portion of the excess does the organization agree to carryover to the reasonable estimate of nondeductible lobbying and political expenditure next year?	4	
5	Taxable amount of lobbying and political expenditures (see instructions)	5	

Part IV Supplemental Information

Complete this part to provide the descriptions required for Part I-A, line 1; Part I-B, line 4; Part I-C, line 5; and Part II-B, line 1i. Also, complete this part for any additional information.

Schedule D (Form 990)

Department of the Treasury
Internal Revenue Service

Supplemental Financial Statements

▶ Complete if the organization answered "Yes," to Form 990, Part IV, line 6, 7, 8, 9, 10, 11, or 12.
▶ Attach to Form 990. ▶ See separate instructions.

OMB No 1545-0047
2009
Open to Public Inspection

Name of the organization: ENVIRONMENTAL LAW AND POLICY CENTER OF THE MIDWEST

Employer identification number: 36-3866530

Part I **Organizations Maintaining Donor Advised Funds or Other Similar Funds or Accounts.** Complete if the organization answered "Yes" to Form 990, Part IV, line 6.

		(a) Donor advised funds	(b) Funds and other accounts
1	Total number at end of year		
2	Aggregate contributions to (during year)		
3	Aggregate grants from (during year)		
4	Aggregate value at end of year		

5 Did the organization inform all donors and donor advisors in writing that the assets held in donor advised funds are the organization's property, subject to the organization's exclusive legal control? ☐ Yes ☐ No

6 Did the organization inform all grantees, donors, and donor advisors in writing that grant funds can be used only for charitable purposes and not for the benefit of the donor or donor advisor, or for any other purpose conferring impermissible private benefit? ☐ Yes ☐ No

Part II **Conservation Easements.** Complete if the organization answered "Yes" to Form 990, Part IV, line 7.

1 Purpose(s) of conservation easements held by the organization (check all that apply).
- ☐ Preservation of land for public use (e.g., recreation or pleasure)
- ☐ Preservation of an historically important land area
- ☐ Protection of natural habitat
- ☐ Preservation of a certified historic structure
- ☐ Preservation of open space

2 Complete lines 2a through 2d if the organization held a qualified conservation contribution in the form of a conservation easement on the last day of the tax year.

			Held at the End of the Tax Year
a	Total number of conservation easements	2a	
b	Total acreage restricted by conservation easements	2b	
c	Number of conservation easements on a certified historic structure included in (a)	2c	
d	Number of conservation easements included in (c) acquired after 8/17/06	2d	

3 Number of conservation easements modified, transferred, released, extinguished, or terminated by the organization during the tax year ▶ ______

4 Number of states where property subject to conservation easement is located ▶ ______

5 Does the organization have a written policy regarding the periodic monitoring, inspection, handling of violations, and enforcement of the conservation easements it holds? ☐ Yes ☐ No

6 Staff and volunteer hours devoted to monitoring, inspecting, and enforcing conservation easements during the year ▶ ______

7 Amount of expenses incurred in monitoring, inspecting, and enforcing conservation easements during the year ▶ $ ______

8 Does each conservation easement reported on line 2(d) above satisfy the requirements of section 170(h)(4)(B)(i) and section 170(h)(4)(B)(ii)? ☐ Yes ☐ No

9 In Part XIV, describe how the organization reports conservation easements in its revenue and expense statement, and balance sheet, and include, if applicable, the text of the footnote to the organization's financial statements that describes the organization's accounting for conservation easements.

Part III **Organizations Maintaining Collections of Art, Historical Treasures, or Other Similar Assets.** Complete if the organization answered "Yes" to Form 990, Part IV, line 8.

1a If the organization elected, as permitted under SFAS 116, not to report in its revenue statement and balance sheet works of art, historical treasures, or other similar assets held for public exhibition, education, or research in furtherance of public service, provide, in Part XIV, the text of the footnote to its financial statements that describes these items.

b If the organization elected, as permitted under SFAS 116, to report in its revenue statement and balance sheet works of art, historical treasures, or other similar assets held for public exhibition, education, or research in furtherance of public service, provide the following amounts relating to these items:

(i) Revenues included in Form 990, Part VIII, line 1 ▶ $ ______

(ii) Assets included in Form 990, Part X ▶ $ ______

2 If the organization received or held works of art, historical treasures, or other similar assets for financial gain, provide the following amounts required to be reported under SFAS 116 relating to these items:

a Revenues included in Form 990, Part VIII, line 1 ▶ $ ______

b Assets included in Form 990, Part X ▶ $ ______

Part III | Organizations Maintaining Collections of Art, Historical Treasures, or Other Similar Assets *(continued)*

3 Using the organization's acquisition, accession, and other records, check any of the following that are a significant use of its collection items (check all that apply):

a ☐ Public exhibition
b ☐ Scholarly research
c ☐ Preservation for future generations
d ☐ Loan or exchange programs
e ☐ Other ____________

4 Provide a description of the organization's collections and explain how they further the organization's exempt purpose in Part XIV.

5 During the year, did the organization solicit or receive donations of art, historical treasures, or other similar assets to be sold to raise funds rather than to be maintained as part of the organization's collection? ☐ Yes ☐ No

Part IV | Escrow and Custodial Arrangements. Complete if organization answered "Yes" to Form 990, Part IV, line 9, or reported an amount on Form 990, Part X, line 21.

1a Is the organization an agent, trustee, custodian or other intermediary for contributions or other assets not included on Form 990, Part X? ☒ Yes ☐ No

b If "Yes," explain the arrangement in Part XIV and complete the following table:

			Amount
c	Beginning balance	1c	28,408.
d	Additions during the year	1d	16,628.
e	Distributions during the year	1e	36,763.
f	Ending balance	1f	8,273.

2a Did the organization include an amount on Form 990, Part X, line 21? ☐ Yes ☒ No

b If "Yes," explain the arrangement in Part XIV.

Part V | Endowment Funds. Complete if the organization answered "Yes" to Form 990, Part IV, line 10.

		(a) Current year	(b) Prior year	(c) Two years back	(d) Three years back	(e) Four years back
1a	Beginning of year balance					
b	Contributions					
c	Net investment earnings, gains, and losses					
d	Grants or scholarships					
e	Other expenditures for facilities and programs					
f	Administrative expenses					
g	End of year balance					

2 Provide the estimated percentage of the year end balance held as:

a Board designated or quasi-endowment ▶ ________ %

b Permanent endowment ▶ ________ %

c Term endowment ▶ ________ %

3a Are there endowment funds not in the possession of the organization that are held and administered for the organization by:

			Yes	No
(i)	unrelated organizations	3a(i)		
(ii)	related organizations	3a(ii)		
b	If "Yes" to 3a(ii), are the related organizations listed as required on Schedule R?	3b		

4 Describe in Part XIV the intended uses of the organization's endowment funds.

Part VI | Investments - Land, Buildings, and Equipment. See Form 990, Part X, line 10.

	Description of investment	(a) Cost or other basis (investment)	(b) Cost or other basis (other)	(c) Accumulated depreciation	(d) Book value
1a	Land				
b	Buildings				
c	Leasehold improvements				
d	Equipment				
e	Other		467,900.	93,114.	374,786.
	Total. Add lines 1a through 1e. *(Column (d) must equal Form 990, Part X, column (B), line 10(c).)* ▶				374,786.

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Part VII Investments - Other Securities. See Form 990, Part X, line 12.

(a) Description of security or category (including name of security)	(b) Book value	(c) Method of valuation: Cost or end-of-year market value
Financial derivatives		
Closely-held equity interests		
Other		
Total. (Col (b) must equal Form 990, Part X, col (B) line 12.) ▶		

Part VIII Investments - Program Related. See Form 990, Part X, line 13.

(a) Description of investment type	(b) Book value	(c) Method of valuation: Cost or end-of-year market value
Total. (Col (b) must equal Form 990, Part X, col (B) line 13.) ▶		

Part IX Other Assets. See Form 990, Part X, line 15.

(a) Description	(b) Book value
Total. *(Column (b) must equal Form 990, Part X, col (B) line 15.)* ▶	

Part X Other Liabilities. See Form 990, Part X, line 25.

1. (a) Description of liability	(b) Amount
Federal income taxes	
Total. *(Column (b) must equal Form 990, Part X, col (B) line 25.)* ▶	

2. FIN 48 Footnote. In Part XIV, provide the text of the footnote to the organization's financial statements that reports the organization's liability for uncertain tax positions under FIN 48.

Part XI Reconciliation of Change in Net Assets from Form 990 to Audited Financial Statements

1	Total revenue (Form 990, Part VIII, column (A), line 12)	1	6,657,177.
2	Total expenses (Form 990, Part IX, column (A), line 25)	2	5,511,496.
3	Excess or (deficit) for the year. Subtract line 2 from line 1	3	1,145,681.
4	Net unrealized gains (losses) on investments	4	87,714.
5	Donated services and use of facilities	5	
6	Investment expenses	6	
7	Prior period adjustments	7	
8	Other (Describe in Part XIV.)	8	
9	Total adjustments (net). Add lines 4 through 8	9	87,714.
10	Excess or (deficit) for the year per audited financial statements. Combine lines 3 and 9	10	1,233,395.

Part XII Reconciliation of Revenue per Audited Financial Statements With Revenue per Return

1	Total revenue, gains, and other support per audited financial statements			1	6,744,891.
2	Amounts included on line 1 but not on Form 990, Part VIII, line 12:				
a	Net unrealized gains on investments	2a	87,714.		
b	Donated services and use of facilities	2b			
c	Recoveries of prior year grants	2c			
d	Other (Describe in Part XIV.)	2d			
e	Add lines 2a through 2d			2e	87,714.
3	Subtract line 2e from line 1			3	6,657,177.
4	Amounts included on Form 990, Part VIII, line 12, but not on line 1:				
a	Investment expenses not included on Form 990, Part VIII, line 7b	4a			
b	Other (Describe in Part XIV.)	4b			
c	Add lines 4a and 4b			4c	0.
5	Total revenue. Add lines 3 and 4c. *(This must equal Form 990, Part I, line 12.)*			5	6,657,177.

Part XIII Reconciliation of Expenses per Audited Financial Statements With Expenses per Return

1	Total expenses and losses per audited financial statements			1	5,511,496.
2	Amounts included on line 1 but not on Form 990, Part IX, line 25:				
a	Donated services and use of facilities	2a			
b	Prior year adjustments	2b			
c	Other losses	2c			
d	Other (Describe in Part XIV.)	2d			
e	Add lines 2a through 2d			2e	0.
3	Subtract line 2e from line 1			3	5,511,496.
4	Amounts included on Form 990, Part IX, line 25, but not on line 1:				
a	Investment expenses not included on Form 990, Part VIII, line 7b	4a			
b	Other (Describe in Part XIV.)	4b			
c	Add lines 4a and 4b			4c	0.
5	Total expenses. Add lines 3 and 4c. *(This must equal Form 990, Part I, line 18.)*			5	5,511,496.

Part XIV Supplemental Information

Complete this part to provide the descriptions required for Part II, lines 3, 5, and 9; Part III, lines 1a and 4; Part IV, lines 1b and 2b; Part V, line 4; Part X, line 2; Part XI, line 8; Part XII, lines 2d and 4b; and Part XIII, lines 2d and 4b. Also complete this part to provide any additional information.

PART IV, LINE 1B: ELPC CONTINUED TO SERVE AS FISCAL AGENT FOR THE CARBON TAX CENTER.

PART X: LINE 2: THE CENTER, AN ILLINOIS NONPROFIT CORPORATION, IS EXEMPT FROM INCOME TAXES UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE AND APPLICABLE STATE LAW, EXCEPT FOR TAXES PERTAINING TO UNRELATED BUSINESS INCOME, IF ANY.

Part XIV Supplemental Information *(continued)*

ON JULY 1, 2009, THE CENTER ADOPTED THE ACCOUNTING STANDARD ON ACCOUNTING FOR UNCERTAIN TAX POSITIONS, WHICH ADDRESSES THE DETERMINATION OF WHETHER TAX BENEFITS CLAIMED OR EXPECTED TO BE CLAIMED ON A TAX RETURN SHOULD BE RECORDED IN THE FINANCIAL STATEMENTS. UNDER THIS GUIDANCE, THE CENTER MAY RECOGNIZE THE TAX BENEFIT FROM AN UNCERTAIN TAX POSITION ONLY IF IT IS MORE LIKELY THAN NOT THAT THE TAX POSITION WILL BE SUSTAINED ON EXAMINATION BY TAXING AUTHORITIES, BASED ON THE TECHNICAL MERITS OF THE POSITION. EXAMPLES OF TAX POSITIONS INCLUDE THE TAX-EXEMPT STATUS OF THE CENTER AND VARIOUS POSITIONS RELATED TO THE POTENTIAL SOURCES OF UNRELATED BUSINESS TAXABLE INCOME (UBTI). THE TAX BENEFITS RECOGNIZED IN THE FINANCIAL STATEMENTS FROM SUCH A POSITION ARE MEASURED BASED ON THE LARGEST BENEFIT THAT HAS A GREATER THAN 50 PERCENT LIKELIHOOD OF BEING REALIZED UPON ULTIMATE SETTLEMENT. AT JULY 1, 2009 AND JUNE 30, 2010, THERE WERE NO UNRECOGNIZED TAX BENEFITS IDENTIFIED OR RECORDED AS LIABILITIES.

THE CENTER FILES FORMS 990 IN THE U.S. FEDERAL JURISDICTION AND THE STATE OF ILLINOIS. THE CENTER IS GENERALLY NO LONGER SUBJECT TO EXAMINATION BY THE INTERNAL REVENUE SERVICE FOR YEARS BEFORE 2006.

SCHEDULE G
(Form 990 or 990-EZ)

Department of the Treasury
Internal Revenue Service

Supplemental Information Regarding Fundraising or Gaming Activities

▶ Complete if the organization answered "Yes" to Form 990, Part IV, lines 17, 18, or 19, or if the organization entered more than $15,000 on Form 990-EZ, line 6a.
▶ Attach to Form 990 or Form 990-EZ. ▶ See separate instructions.

OMB No 1545-0047
2009
Open To Public Inspection

Name of the organization: ENVIRONMENTAL LAW AND POLICY CENTER OF THE MIDWEST

Employer identification number: 36-3866530

Part I **Fundraising Activities.** Complete if the organization answered "Yes" to Form 990, Part IV, line 17. Form 990-EZ filers are not required to complete this part.

1 Indicate whether the organization raised funds through any of the following activities. Check all that apply.

a ☐ Mail solicitations
b ☐ Internet and email solicitations
c ☐ Phone solicitations
d ☐ In-person solicitations
e ☐ Solicitation of non-government grants
f ☐ Solicitation of government grants
g ☐ Special fundraising events

2 a Did the organization have a written or oral agreement with any individual (including officers, directors, trustees or key employees listed in Form 990, Part VII) or entity in connection with professional fundraising services? ☐ Yes ☐ No

b If "Yes," list the ten highest paid individuals or entities (fundraisers) pursuant to agreements under which the fundraiser is to be compensated at least $5,000 by the organization.

(i) Name of individual or entity (fundraiser)	(ii) Activity	(iii) Did fundraiser have custody or control of contributions? Yes	No	(iv) Gross receipts from activity	(v) Amount paid to (or retained by) fundraiser listed in col. (i)	(vi) Amount paid to (or retained by) organization
Total ▶						

3 List all states in which the organization is registered or licensed to solicit funds or has been notified it is exempt from registration or licensing.

Part II Fundraising Events. Complete if the organization answered "Yes" to Form 990, Part IV, line 18, or reported more than $15,000 on Form 990-EZ, line 6a. List events with gross receipts greater than $5,000.

		(a) Event #1 RECEPTION (event type)	(b) Event #2 (event type)	(c) Other events NONE (total number)	(d) Total events (add col. (a) through col. (c))
Revenue	1 Gross receipts	86,650.			86,650.
	2 Less: Charitable contributions	41,515.			41,515.
	3 Gross income (line 1 minus line 2)	45,135.			45,135.
Direct Expenses	4 Cash prizes				
	5 Noncash prizes				
	6 Rent/facility costs	28,770.			28,770.
	7 Food and beverages				
	8 Entertainment				
	9 Other direct expenses	16,365.			16,365.
	10 Direct expense summary. Add lines 4 through 9 in column (d) ▶				(45,135.)
	11 Net income summary. Combine line 3, column (d), and line 10 ▶				0.

Part III Gaming. Complete if the organization answered "Yes" to Form 990, Part IV, line 19, or reported more than $15,000 on Form 990-EZ, line 6a.

		(a) Bingo	(b) Pull tabs/instant bingo/progressive bingo	(c) Other gaming	(d) Total gaming (add col. (a) through col. (c))
Revenue	1 Gross revenue				
Direct Expenses	2 Cash prizes				
	3 Noncash prizes				
	4 Rent/facility costs				
	5 Other direct expenses				
	6 Volunteer labor	☐ Yes ___ % ☐ No	☐ Yes ___ % ☐ No	☐ Yes ___ % ☐ No	
	7 Direct expense summary. Add lines 2 through 5 in column (d) ▶				( )
	8 Net gaming income summary. Combine line 1, column (d), and line 7 ▶				

		Yes	No
9 Enter the state(s) in which the organization operates gaming activities: ______			
a Is the organization licensed to operate gaming activities in each of these states?	9a		
b If "No," explain: ______			
10a Were any of the organization's gaming licenses revoked, suspended or terminated during the tax year?	10a		
b If "Yes," explain: ______			
11 Does the organization operate gaming activities with nonmembers?	11		
12 Is the organization a grantor, beneficiary or trustee of a trust or a member of a partnership or other entity formed to administer charitable gaming?	12		

			Yes	No
13 Indicate the percentage of gaming activity operated in:				
a The organization's facility	13a	%		
b An outside facility	13b	%		

14 Enter the name and address of the person who prepares the organization's gaming/special events books and records:

Name ▶

Address ▶

		Yes	No
15a Does the organization have a contract with a third party from whom the organization receives gaming revenue?	15a		

b If "Yes," enter the amount of gaming revenue received by the organization ▶ $ ______ and the amount of gaming revenue retained by the third party ▶ $ ______ .

c If "Yes," enter name and address of the third party:

Name ▶

Address ▶

16 Gaming manager information:

Name ▶

Gaming manager compensation ▶ $

Description of services provided ▶

☐ Director/officer ☐ Employee ☐ Independent contractor

17 Mandatory distributions:

		Yes	No
a Is the organization required under state law to make charitable distributions from the gaming proceeds to retain the state gaming license?	17a		

b Enter the amount of distributions required under state law to be distributed to other exempt organizations or spent in the organization's own exempt activities during the tax year ▶ $

SCHEDULE I
(Form 990)

Department of the Treasury
Internal Revenue Service

Grants and Other Assistance to Organizations, Governments, and Individuals in the United States

Complete if the organization answered "Yes" on Form 990, Part IV, line 21 or 22.
▶ Attach to Form 990.

OMB No 1545-0047
2009
Open to Public Inspection

Name of the organization: ENVIRONMENTAL LAW AND POLICY CENTER OF THE MIDWEST

Employer identification number: 36-3866530

Part I — General Information on Grants and Assistance

1 Does the organization maintain records to substantiate the amount of the grants or assistance, the grantees' eligibility for the grants or assistance, and the selection criteria used to award the grants or assistance? [X] Yes [ ] No

2 Describe in Part IV the organization's procedures for monitoring the use of grant funds in the United States

Part II — Grants and Other Assistance to Governments and Organizations in the United States. Complete if the organization answered "Yes" to Form 990, Part IV, line 21, for any recipient that received more than $5,000. Check this box if no one recipient received more than $5,000 Use Part IV and Schedule I-1 (Form 990) if additional space is needed ▶ [ ]

1 (a) Name and address of organization or government	(b) EIN	(c) IRC section if applicable	(d) Amount of cash grant	(e) Amount of non-cash assistance	(f) Method of valuation (book, FMV, appraisal, other)	(g) Description of non-cash assistance	(h) Purpose of grant or assistance
ENVIRONMENT ILLINOIS 407 S. DEARBORN SUITE 701 CHICAGO, IL 60605	56-2586486	501(C)(3)	23,500.	0.			CLEAN ENERGY
SIERRA CLUB, ILLINOIS CHAPTER 70 EAST LAKE STREET, SUITE 1500 CHICAGO, IL 60601	94-1153307	501(C)(3)	23,500.	0.			CLEAN ENERGY
PROTESTANTS FOR THE COMMON GOOD 77 W. WASHINGTON ST, SUITE 1124 CHICAGO, IL 60602	36-4080771	501(C)(3)	6,250.	0.			CLEAN ENERGY
FAITH IN PLACE 70 EAST LAKE STREET, SUITE 920 CHICAGO, IL 60601	36-4540756	501(C)(3)	18,750.	0.			CLEAN ENERGY

2 Enter total number of section 501(c)(3) and government organizations ▶ 4.

3 Enter total number of other organizations ▶

LHA **For Privacy Act and Paperwork Reduction Act Notice, see the Instructions for Form 990.** Schedule I (Form 990) 2009

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Part III **Grants and Other Assistance to Individuals in the United States.** Complete if the organization answered "Yes" to Form 990, Part IV, line 22. Use Part IV and Schedule I-1 (Form 990) if additional space is needed.

(a) Type of grant or assistance	(b) Number of recipients	(c) Amount of cash grant	(d) Amount of non-cash assistance	(e) Method of valuation (book, FMV, appraisal, other)	(f) Description of non-cash assistance

Part IV **Supplemental Information.** Complete this part to provide the information required in Part I, line 2, and any other additional information.

SCHEDULE I, PART I, LINE 2: THE GRANTEE MUST FOLLOW UP WITH THE ORGANIZATION WITH A REPORT THAT DETAILS THE USE OF GRANT FUNDS AWARDED TO THEM.

SCHEDULE J (Form 990)

Department of the Treasury
Internal Revenue Service

Compensation Information

For certain Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees

▶ Complete if the organization answered "Yes" to Form 990, Part IV, line 23.

▶ Attach to Form 990. ▶ See separate instructions.

OMB No 1545-0047

2009

Open to Public Inspection

Name of the organization: ENVIRONMENTAL LAW AND POLICY CENTER OF THE MIDWEST

Employer identification number: 36-3866530

Part I Questions Regarding Compensation

			Yes	No
1a	Check the appropriate box(es) if the organization provided any of the following to or for a person listed in Form 990, Part VII, Section A, line 1a. Complete Part III to provide any relevant information regarding these items. ☐ First-class or charter travel ☐ Housing allowance or residence for personal use ☐ Travel for companions ☐ Payments for business use of personal residence ☐ Tax indemnification and gross-up payments ☐ Health or social club dues or initiation fees ☐ Discretionary spending account ☐ Personal services (e.g., maid, chauffeur, chef)			
b	If any of the boxes on line 1a are checked, did the organization follow a written policy regarding payment or reimbursement or provision of all of the expenses described above? If "No," complete Part III to explain	1b		
2	Did the organization require substantiation prior to reimbursing or allowing expenses incurred by all officers, directors, trustees, and the CEO/Executive Director, regarding the items checked in line 1a?	2	X	
3	Indicate which, if any, of the following the organization uses to establish the compensation of the organization's CEO/Executive Director. Check all that apply. ☒ Compensation committee ☐ Written employment contract ☐ Independent compensation consultant ☒ Compensation survey or study ☒ Form 990 of other organizations ☒ Approval by the board or compensation committee			
4	During the year, did any person listed in Form 990, Part VII, Section A, line 1a, with respect to the filing organization or a related organization:			
a	Receive a severance payment or change-of-control payment?	4a		X
b	Participate in, or receive payment from, a supplemental nonqualified retirement plan?	4b		X
c	Participate in, or receive payment from, an equity-based compensation arrangement? If "Yes" to any of lines 4a-c, list the persons and provide the applicable amounts for each item in Part III.	4c		X
	Only section 501(c)(3) and 501(c)(4) organizations must complete lines 5-9.			
5	For persons listed in Form 990, Part VII, Section A, line 1a, did the organization pay or accrue any compensation contingent on the revenues of:			
a	The organization?	5a		X
b	Any related organization? If "Yes" to line 5a or 5b, describe in Part III.	5b		X
6	For persons listed in Form 990, Part VII, Section A, line 1a, did the organization pay or accrue any compensation contingent on the net earnings of:			
a	The organization?	6a		X
b	Any related organization? If "Yes" to line 6a or 6b, describe in Part III.	6b		X
7	For persons listed in Form 990, Part VII, Section A, line 1a, did the organization provide any non-fixed payments not described in lines 5 and 6? If "Yes," describe in Part III	7		X
8	Were any amounts reported in Form 990, Part VII, paid or accrued pursuant to a contract that was subject to the initial contract exception described in Regs. section 53.4958-4(a)(3)? If "Yes," describe in Part III	8		X
9	If "Yes" to line 8, did the organization also follow the rebuttable presumption procedure described in Regulations section 53.4958-6(c)?	9		

Part II **Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees.** Use Schedule J-1 if additional space is needed

For each individual whose compensation must be reported in Schedule J, report compensation from the organization on row (i) and from related organizations, described in the instructions, on row (ii). Do not list any individuals that are not listed on Form 990, Part VII.

Note. The sum of columns (B)(i)-(iii) must equal the applicable column (D) or column (E) amounts on Form 990, Part VII, line 1a.

(A) Name		(B) Breakdown of W-2 and/or 1099-MISC compensation (i) Base compensation	(ii) Bonus & incentive compensation	(iii) Other reportable compensation	(C) Retirement and other deferred compensation	(D) Nontaxable benefits	(E) Total of columns (B)(i)-(D)	(F) Compensation reported in prior Form 990 or Form 990-EZ
HOWARD A. LEARNER	(i)	257,338.	0.	0.	16,500.	15,396.	289,234.	0.
	(ii)	0.	0.	0.	0.	0.	0.	0.
KEVIN BRUBAKER	(i)	135,359.	0.	0.	16,500.	15,396.	167,255.	0.
	(ii)	0.	0.	0.	0.	0.	0.	0.
ALBERT ETTINGER	(i)	143,085.	0.	0.	16,500.	15,396.	174,981.	0.
	(ii)	0.	0.	0.	0.	0.	0.	0.

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FORM 990, PART III, LINE 4D, OTHER PROGRAM SERVICES:

4) ENVIRONMENTAL MARKETS

5) GLOBAL WARMING SOLUTIONS

6) OTHER PROJECTS

EXPENSES $ 1095492. INCLUDING GRANTS OF $ 3000. REVENUE $ 99641.

FORM 990, PART VI, SECTION A, LINE 6: ELPC SHALL HAVE ONE CLASS OF MEMBERS. THE BOARD OF DIRECTORS MAY, FROM TIME TO TIME, DESIGNATE DIFFERENT SUBCLASSES SUCH AS "SUSTAINING," "SPONSORING," "PARTICIPATING," AND SIMILAR SUCH CLASSES.

FORM 990, PART VI, SECTION B, LINE 11: ELPC'S DEPUTY DIRECTOR WAS CLOSELY INVOLVED IN THE PREPARATION OF THE FORM 990. THE FORM 990 WAS REVIEWED BY THE EXECUTIVE DIRECTOR AND THE BOARD TREASURER AND IT WAS DISTRIBUTED TO THE ENTIRE BOARD OF DIRECTORS PRIOR TO ITS SUBMISSION.

FORM 990, PART VI, SECTION B, LINE 12C: ELPC ANNUALLY DISTRIBUTES THE CONFLICT OF INTEREST STATEMENT TO ITS DIRECTORS TO ENSURE THAT THEY ARE AWARE OF ITS REQUIREMENTS.

FORM 990, PART VI, SECTION B, LINE 15A: THE EXECUTIVE DIRECTOR'S COMPENSATION IS DETERMINED BY THE EXECUTIVE COMMITTEE OF THE BOARD OF DIRECTORS BASED ON AN ANNUAL PERFORMANCE APPRAISAL AND BENCHMARKING AGAINST SALARIES OF EXECUTIVE DIRECTORS OF COMPARABLE NONPROFIT ORGANIZATIONS.

FORM 990, PART VI, SECTION C, LINE 19: THE ORGANIZATION MAKES ITS

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GOVERNING DOCUMENTS AND FINANCIAL STATEMENTS AVAILABLE TO THE PUBLIC UPON WRITTEN REQUEST.

FORM 990, PART I, LINE 5: TOTAL NUMBER OF EMPLOYEES
57 EMPLOYEES INCLUDES 10 INTERNS.

FORM 990, ADDITIONAL DISCLOSURE:
THE ENVIRONMENTAL LAW & POLICY CENTER WAS INVOLVED IN THE FOLLOWING LITIGATION DURING FY2010 (JULY 1, 2009 - JUNE 30, 2010). UNLESS OTHERWISE NOTED, COURT-AWARDED FEES WERE NOT RECOVERED IN ANY OF THESE CASES DURING FY2010.

FRIENDS OF THE FOX RIVER, ET AL., V UNITED STATES DEPARTMENT OF TRANSPORTATION, ET AL., NO. 09C-1855 (UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF ILLINOIS).

ELPC ATTORNEYS REPRESENTED TWO CITIZEN'S ORGANIZATIONS IN A LAWSUIT AGAINST THE U.S. DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES INVOLVING THE PROPOSED PRAIRIE PARKWAY HIGHWAY PROJECT IN ILLINOIS. PLAINTIFFS FILED THE COMPLAINT ON MARCH 25, 2009, ALLEGING THAT THE DEFENDANTS VIOLATED THE NATIONAL ENVIRONMENTAL PROTECTION ACT (NEPA) IN THE COURSE OF PLANNING THE PRAIRIE PARKWAY. PLAINTIFFS REQUESTED THAT THE COURT DECLARE THE DEFENDANTS IN VIOLATION OF NEPA AND ORDER THEM TO CEASE WORK ON THE PROJECT PENDING COMPLIANCE WITH NEPA. THE CASE HAS BEEN HELD IN ABEYANCE SINCE FILING WHILE THE PARTIES DISCUSS SETTLEMENT OPTIONS.

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FORM 990, ADDITIONAL DISCLOSURE (CONTINUED):

HABITAT EDUCATION CENTER, ET AL. V. BOSWORTH, ET AL., CIVIL ACTION NOS. 03-1023, 03-1024, 04-0254 (UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF WISCONSIN); HABITAT EDUCATION CENTER, ET AL. V. U.S. FOREST SERVICE, APPEAL NOS. 10-1322, 10-1346 (UNITED STATES COURT OF APPEALS, 7TH CIRCUIT).

ELPC SUCCESSFULLY REPRESENTED A SCIENTISTS' ORGANIZATION AND TWO INDIVIDUAL PLAINTIFFS IN THREE LAWSUITS INITIALLY CHALLENGING THE UNITED STATES FOREST SERVICE'S APPROVAL OF THE CAYUGA, MCCASLIN AND NORTHWEST HOWELL THREE TIMBER SALES IN THE CHEQUAMEGON-NICOLET NATIONAL FOREST IN NORTHERN WISCONSIN ON GROUNDS THAT THE FOREST SERVICE FAILED TO COMPLY WITH THE NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) AND THE ADMINISTRATIVE PROCEDURE ACT. IN APRIL AND AUGUST 2005, THE COURT RULED IN PLAINTIFFS' FAVOR AND ISSUED INJUNCTIONS AGAINST ALL THREE TIMBER SALES. THE FOREST SERVICE THEN RE-APPROVED EACH OF THESE TIMBER SALES. ELPC RENEWED ITS LEGAL CHALLENGES TO TWO OF THE TIMBER SALE PROJECTS (THE NORTHWEST HOWELL AND MCCASLIN TIMBER SALES). (CASE NOS. 03-1023 AND 04-0254). IN APRIL 2009, ELPC REACHED AN ADMINISTRATIVE SETTLEMENT AGREEMENT WITH THE FOREST SERVICE WITH RESPECT TO THE CAYUGA TIMBER SALE THAT WOULD DEFER OVER 2,000 ACRES OF LOGGING IN KEY WILDLIFE HABITAT FOR THE NEXT FOUR YEARS. IN APRIL 2010, THE DISTRICT COURT DISSOLVED THE INJUNCTION AND DISMISSED THE CASE PURSUANT TO THE PARTIES' SETTLEMENT. (CASE NO. 03-1024). MEANWHILE, IN JANUARY 2010, THE DISTRICT COURT ISSUED DECISIONS IN THE NORTHWEST HOWELL AND

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MCCASLIN CASES, REJECTING PLAINTIFFS' CLAIMS AND UPHOLDING THE TIMBER SALE PROJECTS. (CASE NOS. 03-1023 AND 04-0254). AS OF JUNE 30, 2010, THESE TWO APPEALS WERE PENDING. (APPEAL NOS. 10-1322, 10-1346.)

FORM 990, ADDITIONAL DISCLOSURE (CONTINUED):

HABITAT EDUCATION CENTER, ET AL. V. UNITED STATES FOREST SERVICE, ET AL., CIVIL ACTION NO. 07-578 (UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF WISCONSIN); HABITAT EDUCATION CENTER, ET AL. V. UNITED STATES FOREST SERVICE, ET AL., APPEAL NO. 09-1672 (UNITED STATES COURT OF APPEALS, 7TH CIRCUIT).

IN 2007, ELPC INITIATED A LEGAL CHALLENGE AGAINST THE UNITED STATES FOREST SERVICE'S APPROVAL OF THE TWENTYMILE TIMBER SALE PROJECT IN THE CHEQUAMEGON-NICOLET NATIONAL FOREST. ELPC ATTORNEYS REPRESENTED ELPC, A SCIENTISTS ORGANIZATION AND FOUR INDIVIDUAL PLAINTIFFS IN THIS LAWSUIT. THE PLAINTIFFS CONTENDED THAT THE FOREST SERVICE FAILED TO COMPLY WITH THE REQUIREMENTS OF NEPA, NATIONAL FOREST MANAGEMENT ACT AND ADMINISTRATIVE PROCEDURE ACT IN APPROVING THIS TIMBER SALE. IN JANUARY 2009, THE COURT RULED AGAINST THE PLAINTIFFS AND DISMISSED THE CASE. ELPC APPEALED THE RULING TO THE SEVENTH CIRCUIT COURT OF APPEALS, ARGUING THAT THE FOREST SERVICE HAD VIOLATED NEPA. ON JUNE 29, 2010, THE SEVENTH CIRCUIT AFFIRMED, THEREBY UPHOLDING THE FOREST SERVICE'S ACTION. SEE 609 F.3D 897 (7TH CIR. 2010). (APPEAL NO. 09-1672).

FORM 990, ADDITIONAL DISCLOSURE (CONTINUED):

HABITAT EDUCATION CENTER, ET AL. V. UNITED STATES FOREST SERVICE, ET

AL., CIVIL ACTION NO. 08-043 (UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF WISCONSIN); HABITAT EDUCATION CENTER, ET AL. V. UNITED STATES FOREST SERVICE, ET AL., APPEAL NO. 09-2240 (UNITED STATES COURT OF APPEALS, 7TH CIRCUIT).

IN 2008, ELPC INITIATED A LEGAL CHALLENGE AGAINST THE UNITED STATES FOREST SERVICE'S APPROVAL OF THE FISHBONE TIMBER SALE PROJECT IN THE CHEQUAMEGON-NICOLET NATIONAL FOREST. ELPC ATTORNEYS REPRESENTED ELPC, A SCIENTISTS' ORGANIZATION AND FOUR INDIVIDUAL PLAINTIFFS IN THIS LAWSUIT. THE PLAINTIFFS CONTENDED THAT THE FOREST SERVICE FAILED TO COMPLY WITH THE REQUIREMENTS OF NEPA, NATIONAL FOREST MANAGEMENT ACT AND ADMINISTRATIVE PROCEDURE ACT IN APPROVING THESE TIMBER SALES. IN MARCH 2009, THE COURT RULED AGAINST THE PLAINTIFFS AND DISMISSED THE CASE. ELPC APPEALED THE RULING TO THE SEVENTH CIRCUIT COURT OF APPEALS, WHERE IT WAS PENDING AS OF JUNE 30, 2010. (APPEAL NO. 09-2240).

FORM 990, ADDITIONAL DISCLOSURE (CONTINUED):

HABITAT EDUCATION CENTER, ET AL. V. UNITED STATES FOREST SERVICE, ET AL., CIVIL ACTION NO. 08-627 (UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF WISCONSIN); HABITAT EDUCATION CENTER , ET AL. V. UNITED STATES FOREST SERVICE, ET AL., APPEAL NO. 09-2785 (UNITED STATES COURT OF APPEALS, 7TH CIRCUIT).

ELPC INITIATED A LEGAL CHALLENGE AGAINST THE UNITED STATES FOREST SERVICE UNDER THE FOREST SERVICE DECISIONMAKING AND APPEALS REFORM ACT AND THE ADMINISTRATIVE PROCEDURE ACT FOR DISMISSING, WITHOUT REVIEW, SCHEDULE O (Form 990) Department of the Treasury Internal Revenue Service

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THE PLAINTIFFS' ADMINISTRATIVE APPEAL OF THE FISHEL TIMBER SALE IN THE CHEQUAMEGON-NICOLET NATIONAL FOREST. ELPC ATTORNEYS REPRESENT ELPC ALONG WITH A SCIENTISTS' ORGANIZATION AND FOUR INDIVIDUAL PLAINTIFFS WHO ACTIVELY PARTICIPATED IN NEPA PUBLIC COMMENT PROCESS FOR THIS TIMBER SALE. IN EARLY JANUARY 2009, THE FOREST SERVICE ATTEMPTED TO MOVE FORWARD WITH IMPLEMENTING THIS TIMBER SALE WHILE LITIGATION WAS STILL IN PROCESS. ELPC SECURED A PRELIMINARY INJUNCTION, BUT WAS REQUIRED TO POST A $10,000 BOND. THE COURT ULTIMATELY RULED AGAINST THE PLAINTIFFS ON THE MERITS OF THE CASE IN MAY 2009. ELPC SUBSEQUENTLY APPEALED THE DISTRICT COURT'S DECISION REFUSING TO WAIVE THE $10,000 INJUNCTION BOND DUE TO THE PUBLIC INTEREST CHARACTER OF THE LITIGATION. ELPC ARGUED THE APPEAL IN APRIL 2010, AND ON MAY 27, 2010, THE SEVENTH CIRCUIT RULED AGAINST PLAINTIFFS AND REMANDED THE MATTER TO DISTRICT COURT FOR FURTHER PROCEEDINGS.

FORM 990, ADDITIONAL DISCLOSURE (CONTINUED):

IN THE MATTER OF: OBJECTION TO THE ISSUANCE OF NPDES PERMIT NO. ING040239 BEAR RUN MINE - PEABODY MIDWEST MINING, LLC, SULLIVAN, SULLIVAN COUNTY, INDIANA, CAUSE NO. 10-W-J-4386 (INDIANA OFFICE OF ENVIRONMENTAL ADJUDICATION).

ELPC FILED THIS PETITION FOR REVIEW OF NPDES PERMIT ISSUANCE ON JUNE 30, 2010 ON BEHALF OF TWO CITIZEN GROUPS IN THE INDIANA OFFICE OF ENVIRONMENTAL ADJUDICATION (THE AGENCY), CHALLENGING INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT'S AUTHORIZATION TO DISCHARGE POLLUTANTS FROM BEAR RUN MINE UNDER A NATIONAL POLLUTANT DISCHARGE ELIMINATION

SYSTEM GENERAL PERMIT. THE PETITION ALLEGED THAT THE DEFENDANT AGENCY FAILED TO COMPLY WITH VARIOUS STATE AND FEDERAL WATER QUALITY STANDARDS WHEN IT ISSUED THE PERMIT.

FORM 990, ADDITIONAL DISCLOSURE (CONTINUED):

IN THE MATTER OF: OBJECTION TO THE MODIFICATION REQUEST FOR NPDES GENERAL PERMIT NO. ING040062 IDNR PERMIT NO. S-287 FARMERSBURG MINE, PEABODY MIDWEST MINING, LLC PIMENTO, SULLIVAN COUNTY, INDIANA, CAUSE NO. 10-W-J-4350 (INDIANA OFFICE OF ENVIRONMENTAL ADJUDICATION).

ELPC FILED THIS PETITION FOR REVIEW OF NPDES PERMIT ISSUANCE IN MARCH 2010 ON BEHALF OF A CITIZEN GROUP IN THE INDIANA OFFICE OF ENVIRONMENTAL ADJUDICATION (THE AGENCY), CHALLENGING INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT'S AUTHORIZATION TO DISCHARGE POLLUTANTS FROM FARMERSBURG MINE UNDER A NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM GENERAL PERMIT. THE PETITION ALLEGED THAT THE DEFENDANT AGENCY FAILED TO COMPLY WITH VARIOUS STATE AND FEDERAL WATER QUALITY STANDARDS WHEN IT ISSUED THE PERMIT.

FORM 990, ADDITIONAL DISCLOSURE (CONTINUED):

IN THE MATTER OF THE APPLICATION OF CONSUMERS ENERGY COMPANY FOR AUTHORITY TO INCREASE ITS RATES FOR THE GENERATION AND DISTRIBUTION OF ELECTRICITY AND FOR OTHER RELIEF, CASE NO. U-16191 (MICHIGAN PUBLIC SERVICE COMMISSION).

ELPC ATTORNEYS INTERVENED IN CONSUMERS ENERGY'S GENERAL RATE CASE TO

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ADVOCATE FOR INCREASED RELIANCE ON ENERGY EFFICIENCY AND MORE APPROPRIATE TARIFFS FOR SELF-GENERATION OF DISTRIBUTED RENEWABLE ENERGY.

FORM 990, ADDITIONAL DISCLOSURE (CONTINUED):

IN THE MATTER, ON THE COMMISSION'S OWN MOTION, REGARDING THE REGULATORY REVIEWS, REVISIONS, DETERMINATIONS, AND/OR APPROVALS NECESSARY FOR THE DETROIT EDISON COMPANY TO FULLY COMPLY WITH PUBLIC ACTS 286 AND 295 OF 2008, CASE NO. U-15806A (MICHIGAN PUBLIC SERVICE COMMISSION).

ELPC ATTORNEYS INTERVENED IN DETROIT EDISON'S AMENDED ENERGY EFFICIENCY PLANNING CASE TO ADVOCATE FOR A MORE AGGRESSIVE ENERGY EFFICIENCY PLAN THAT WOULD DELIVER GREATER ENERGY AND BILL SAVINGS TO THE COMPANY'S RATEPAYERS. THE COMMISSION ISSUED A FINAL ORDER APPROVING THE COMPANY'S PLAN ON JUNE 3, 2010.

FORM 990, ADDITIONAL DISCLOSURE (CONTINUED):

PEOPLE OF THE STATE OF ILLINOIS V. FREEMAN UNITED COAL MINING CO. LLC, AND SPRINGFIELD COAL CO. LLC, PCB 2010-061 (ILLINOIS POLLUTION CONTROL BOARD).

ELPC ATTORNEYS REPRESENT TWO CITIZEN GROUPS IN A CASE TO ENFORCE SEVERAL HUNDRED NPDES PERMIT VIOLATIONS AT A COAL MINE IN CENTRAL ILLINOIS. ELPC SENT A NOTICE OF INTENT TO SUE THE COAL MINE OPERATORS UNDER THE CITIZEN SUIT PROVISIONS OF THE CLEAN WATER ACT, WHICH PROMPTED THE ILLINOIS ATTORNEY GENERAL TO FILE AN ENFORCEMENT SUIT

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD PRIOR TO THE EXPIRATION OF THE NOTICE PERIOD. ELPC ATTORNEYS REPRESENT THE CITIZEN GROUPS WHO MOVED TO INTERVENE IN THE STATE'S CASE IN FEBRUARY 2010 AND WERE GRANTED LEAVE TO INTERVENE IN APRIL 2010.

FORM 990, ADDITIONAL DISCLOSURE (CONTINUED):

PRAIRIE RIVERS NETWORK V. ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, PCB 2009-046 (ILLINOIS POLLUTION CONTROL BOARD).

ELPC ATTORNEYS FILED THIS CLEAN WATER ACT PERMIT APPEAL IN JANUARY 2009 ON BEHALF OF TWO CITIZEN GROUPS IN THE ILLINOIS POLLUTION CONTROL BOARD, CHALLENGING ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S ISSUANCE OF A NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT FOR THE PROPOSED SUGAR CAMP MINE. THE PETITION ALLEGED THAT THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY FAILED TO COMPLY WITH VARIOUS STATE AND FEDERAL WATER QUALITY STANDARDS WHEN IT ISSUED THE PERMIT. SETTLEMENT NEGOTIATIONS WERE UNDERWAY THROUGH JUNE, 2010.

FORM 990, ADDITIONAL DISCLOSURE (CONTINUED):

PRAIRIE RIVERS NETWORK V. ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, PCB 2010-003 (ILLINOIS POLLUTION CONTROL BOARD).

ELPC FILED THIS NPDES PERMIT APPEAL IN JULY 2009 ON BEHALF OF TWO CITIZEN GROUPS IN THE ILLINOIS POLLUTION CONTROL BOARD, CHALLENGING ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S ISSUANCE OF A NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT FOR THE HILLSBORO MINE.

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THE PETITION ALLEGED THAT THE DEFENDANT AGENCY FAILED TO COMPLY WITH VARIOUS STATE AND FEDERAL WATER QUALITY STANDARDS WHEN IT ISSUED THE PERMIT.

FORM 990, ADDITIONAL DISCLOSURE (CONTINUED):

PRAIRIE RIVERS NETWORK V. SPRINGFIELD COAL CO. LLC, CIVIL ACTION NO. 3:10-CV-03088-JES-CHE (UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF ILLINOIS).

ELPC ATTORNEYS FILED THIS CLEAN WATER ACT CITIZEN SUIT COMPLAINT AGAINST A COAL MINE OPERATOR FOR VIOLATIONS OF ITS CLEAN WATER ACT PERMIT IN APRIL 2010.

FORM 990, ADDITIONAL DISCLOSURE (CONTINUED):

SAVE THE DUNES, ET AL., V. BP PRODUCTS NORTH AMERICA, INC., ET AL., CAUSE NO.S 08-A-J-4115 AND 4142 (INDIANA OFFICE OF ENVIRONMENTAL ADJUDICATION).

ELPC ATTORNEYS REPRESENTED THE HOOSIER ENVIRONMENTAL COUNCIL, ALONG WITH CO-COUNSEL THE LEGAL ENVIRONMENTAL AID FOUNDATION OF INDIANA, NRDC AND THE ENVIRONMENTAL INTEGRITY PROJECT IN A STATE ADMINISTRATIVE CHALLENGE TO THE CONSTRUCTION AND OPERATING AIR PERMITS FOR BP'S PROPOSED EXPANSION OF ITS OIL REFINERY IN WHITING, INDIANA. THE BASIS FOR THE CHALLENGE IS BP AND THE INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT'S FAILURE TO COMPLY WITH THE REQUIREMENTS OF THE NEW SOURCE REVIEW AND TITLE V PROVISIONS OF THE CLEAN AIR ACT. THE CASE WAS FILED

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IN SUMMER 2008. SETTLEMENT NEGOTIATIONS IN THIS CASE BEGAN IN MARCH 2010 AND ARE STILL ONGOING.

FORM 990, ADDITIONAL DISCLOSURE (CONTINUED):

SIERRA CLUB ET AL. V. ENERGY AND ENVIRONMENT CABINET, FILE NO. DAQ-41001-046 (KENTUCKY. ENERGY AND ENVIRONMENT CABINET).

ELPC REPRESENTED TWO ENVIRONMENTAL ORGANIZATIONS AND AN ORDER OF CATHOLIC NUNS IN CHALLENGING THE PREVENTION OF SIGNIFICANT DETERIORATION/TITLE V PERMIT FOR THE PROPOSED CASH CREEK GASIFICATION PLANT IN WESTERN KENTUCKY. THE PERMIT WAS ISSUED IN MARCH 2010, AND ELPC TIMELY FILED A PETITION FOR HEARING WITH THE ENERGY AND ENVIRONMENT CABINET (EEC) IN APRIL 2010. THIS PERMIT CHALLENGE IS SUBJECT TO A FORMAL ADMINISTRATIVE HEARING BEFORE A HEARING OFFICER, WHO ISSUES A REPORT & RECOMMENDATION FOR THE SECRETARY OF THE EEC. THE SECRETARY THEN MAKES A FINAL DECISION ON THE PERMIT CHALLENGE. AS OF JUNE 30, 2010, THE PERMIT CHALLENGE WAS PENDING, WITH THE FORMAL HEARING SCHEDULED FOR SEPTEMBER 2010.

FORM 990, ADDITIONAL DISCLOSURE (CONTINUED):

SIERRA CLUB V. ENERGY AND ENVIRONMENT CABINET, FILE NO. DAQ-41111-039 (KENTUCKY. ENERGY AND ENVIRONMENT CABINET).

ELPC REPRESENTED TWO ENVIRONMENTAL ORGANIZATIONS IN CHALLENGING THE PREVENTION OF SIGNIFICANT DETERIORATION/TITLE V PERMIT FOR THE PROPOSED KENTUCKY SYNGAS GASIFICATION PLANT IN WESTERN KENTUCKY. THE PERMIT WAS

ISSUED IN APRIL 2010, AND ELPC TIMELY FILED A PETITION FOR HEARING WITH THE ENERGY AND ENVIRONMENT CABINET (EEC) IN MAY 2010. THIS PERMIT CHALLENGE IS SUBJECT TO A FORMAL ADMINISTRATIVE HEARING BEFORE A HEARING OFFICER, WHO ISSUES A REPORT & RECOMMENDATION FOR THE SECRETARY OF THE EEC. THE SECRETARY THEN MAKES A FINAL DECISION ON THE PERMIT CHALLENGE. AS OF JUNE 30, 2010, THE PERMIT CHALLENGE WAS PENDING, WITH THE FORMAL HEARING SCHEDULED FOR NOVEMBER 2010.

FORM 990, ADDITIONAL DISCLOSURE (CONTINUED):

SIERRA CLUB NORTH STAR CHAPTER V. LAHOOD, CIVIL NO. 07-02593-MJD-SRN (UNITED STATES DISTRICT COURT, DISTRICT OF MINNESOTA).

AN ELPC ATTORNEY REPRESENTED THE SIERRA CLUB'S NORTH STAR CHAPTER IN A LAWSUIT CHALLENGING THE PROPOSED ST. CROIX BRIDGE PROJECT, WHICH CALLS FOR THE CONSTRUCTION OF A FOUR-LANE HIGHWAY OVER THE LOWER ST. CROIX, A FEDERALLY-PROTECTED WILD AND SCENIC RIVER. THE LEGAL CHALLENGES INCLUDE CLAIMS UNDER THE WILD AND SCENIC RIVERS ACT, NEPA, AND SECTION 4(F) OF THE TRANSPORTATION ACT. ON MARCH 11, 2010, THE U.S. DISTRICT COURT IN MINNESOTA ISSUED ITS DECISION, GRANTING SUMMARY JUDGMENT TO SIERRA CLUB ON ONE OF ITS WILD AND SCENIC RIVERS ACT CLAIM, AND REJECTING SIERRA CLUB'S REMAINING CLAIMS. SIERRA CLUB NORTH STAR CHAPTER V. LAHOOD, 693 F. SUPP. 2D 958 (D. MINN. 2010). THE COURT VACATED THE NATIONAL PARK SERVICE'S 2005 DECISION APPROVING THE PROJECT (CALLED A "SECTION 7 EVALUATION"), AND ISSUED AN INJUNCTION AGAINST THE NATIONAL PARK SERVICE UNTIL IT COMPLETED A SECTION 7 EVALUATION THAT COMPLIED WITH FEDERAL LAW.

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FORM 990, ADDITIONAL DISCLOSURE (CONTINUED):

SINGAPORE DUNES LLC V. SAUGATUCK TOWNSHIP, CIVIL ACTION NO. 10-210 (UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF MICHIGAN)

ELPC ATTORNEYS ARE REPRESENTING SEVERAL NON-PARTY CITIZEN AND CONSERVATION GROUPS IN THIS ZONING CASE INVOLVING A PRIVATE DEVELOPER PLAINTIFF SINGAPORE DUNES LLC'S CHALLENGE TO SAUGATUCK TOWNSHIP'S REZONING OF IMPORTANT LAKE MICHIGAN COASTAL DUNES IN WESTERN MICHIGAN. THE PLAINTIFF FILED SEVERAL OVERBROAD SUBPOENAS SEEKING DOCUMENTS AND COMMUNICATIONS BETWEEN THE CITIZEN GROUPS AND VARIOUS LOCAL AND STATE OFFICIALS. ELPC ATTORNEYS SUCCESSFULLY RESISTED THE SUBPOENAS BEFORE THE FEDERAL MAGISTRATE JUDGE AND ARE AWAITING THE COURT'S RESOLUTION OF THE TOWNSHIP'S PENDING MOTION TO DISMISS.

FORM 990, ADDITIONAL DISCLOSURE (CONTINUED):

UNITED STATES OF AMERICA ET AL V. MIDWEST GENERATION, NO.1:09-CV-05277 (UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF ILLINOIS).

IN LATE 2009, ELPC ATTORNEYS, REPRESENTING THE RESPIRATORY HEALTH ASSOCIATION OF METROPOLITAN CHICAGO, ALONG WITH OTHER NON-PROFIT ORGANIZATIONS, MOVED TO INTERVENE IN THIS FEDERAL AND STATE ENFORCEMENT ACTION AGAINST MIDWEST GENERATION BROUGHT IN FEDERAL DISTRICT COURT IN THE NORTHERN DISTRICT OF ILLINOIS. INTERVENTION WAS GRANTED IN EARLY 2010. THE BASES FOR THIS CASE INCLUDE CONSTRUCTION WITHOUT A CLEAN AIR ACT PERMIT (NEW SOURCE REVIEW VIOLATIONS), OPERATING PERMIT VIOLATIONS,

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Supplemental Information to Form 990

Complete to provide information for responses to specific questions on Form 990 or to provide any additional information.
▶ Attach to Form 990.

OMB No 1545-0047

2009

Open to Public Inspection

Name of the organization	Employer identification number
ENVIRONMENTAL LAW AND POLICY CENTER OF THE MIDWEST	36-3866530

AND OPACITY VIOLATIONS. DEFENDANTS FILED MULTIPLE MOTIONS TO DISMISS, ONE OF WHICH WAS STILL PENDING AS OF JUNE 30, 2010, AND THE PARTIES TOOK DISCOVERY.

Form **8868** (Rev. April 2009) Department of the Treasury Internal Revenue Service

Application for Extension of Time To File an Exempt Organization Return

▶ File a separate application for each return.

OMB No 1545-1709

- If you are filing for an **Automatic 3-Month Extension, complete only Part I** and check this box ▶ [X]
- If you are filing for an **Additional (Not Automatic) 3-Month Extension, complete only Part II** (on page 2 of this form).

Do not complete Part II unless you have already been granted an automatic 3-month extension on a previously filed Form 8868

Part I **Automatic 3-Month Extension of Time.** Only submit original (no copies needed).

A corporation required to file Form 990-T and requesting an automatic 6-month extension - check this box and complete Part I only ▶ [ ]

All other corporations (including 1120-C filers), partnerships, REMICs, and trusts must use Form 7004 to request an extension of time to file income tax returns.

Electronic Filing (e-file). Generally, you can electronically file Form 8868 if you want a 3-month automatic extension of time to file one of the returns noted below (6 months for a corporation required to file Form 990-T). However, you cannot file Form 8868 electronically if (1) you want the additional (not automatic) 3-month extension or (2) you file Forms 990-BL, 6069, or 8870, group returns, or a composite or consolidated Form 990-T. Instead, you must submit the fully completed and signed page 2 (Part II) of Form 8868. For more details on the electronic filing of this form, visit *www.irs.gov/efile* and click on *e-file for Charities & Nonprofits*.

Type or print	Name of Exempt Organization	Employer identification number
	ENVIRONMENTAL LAW AND POLICY CENTER OF THE MIDWEST	36-3866530
File by the due date for filing your return See instructions	Number, street, and room or suite no. If a P.O. box, see instructions. 35 EAST WACKER DRIVE, NO. 1300	
	City, town or post office, state, and ZIP code For a foreign address, see instructions. CHICAGO, IL 60601-2208	

Check type of return to be filed (file a separate application for each return)

[X] Form 990	[ ] Form 990-T (corporation)	[ ] Form 4720
[ ] Form 990-BL	[ ] Form 990-T (sec 401(a) or 408(a) trust)	[ ] Form 5227
[ ] Form 990-EZ	[ ] Form 990-T (trust other than above)	[ ] Form 6069
[ ] Form 990-PF	[ ] Form 1041-A	[ ] Form 8870

- The books are in the care of ▶ KEVIN BRUBAKER 35 EAST WACKER DRIVE, STE 1300 - CHICAGO, IL 60601-2208

  Telephone No ▶ (312) 673-6500 FAX No ▶
- If the organization does not have an office or place of business in the United States, check this box ▶ [ ]
- If this is for a Group Return, enter the organization's four digit Group Exemption Number (GEN) ______ . If this is for the whole group, check this box ▶ [ ] . If it is for part of the group, check this box ▶ [ ] and attach a list with the names and EINs of all members the extension will cover.

1 I request an automatic 3-month (6-months for a corporation required to file Form 990-T) extension of time until FEBRUARY 15, 2011 , to file the exempt organization return for the organization named above. The extension is for the organization's return for:

▶ [ ] calendar year ______ or

▶ [X] tax year beginning JUL 1, 2009 , and ending JUN 30, 2010 .

2 If this tax year is for less than 12 months, check reason: [ ] Initial return [ ] Final return [ ] Change in accounting period

3a	If this application is for Form 990-BL, 990-PF, 990-T, 4720, or 6069, enter the tentative tax, less any nonrefundable credits See instructions.	3a	$
b	If this application is for Form 990-PF or 990-T, enter any refundable credits and estimated tax payments made. Include any prior year overpayment allowed as a credit.	3b	$
c	**Balance Due.** Subtract line 3b from line 3a. Include your payment with this form, or, if required, deposit with FTD coupon or, if required, by using EFTPS (Electronic Federal Tax Payment System). See instructions.	3c	$ N/A

Caution. If you are going to make an electronic fund withdrawal with this Form 8868, see Form 8453-EO and Form 8879-EO for payment instructions.

- If you are filing for an **Additional (Not Automatic) 3-Month Extension, complete only Part II** and check this box ▶ [X]

Note. Only complete Part II if you have already been granted an automatic 3-month extension on a previously filed Form 8868.

- If you are filing for an **Automatic 3-Month Extension, complete only Part I** (on page 1).

Part II **Additional (Not Automatic) 3-Month Extension of Time.** Only file the original (no copies needed).

Type or print	Name of exempt organization	Employer identification number
File by the extended due date for filing your return See instructions	ENVIRONMENTAL LAW AND POLICY CENTER OF THE MIDWEST	36-3866530
	Number, street, and room or suite no. If a P.O. box, see instructions. 35 EAST WACKER DRIVE, NO. 1300	
	City, town or post office, state, and ZIP code. For a foreign address, see instructions. CHICAGO, IL 60601-2208	

Enter the Return code for the return that this application is for (file a separate application for each return) . . . 0 1

Application Is For	Return Code	Application Is For	Return Code
Form 990	01		
Form 990-BL	02	Form 1041-A	08
Form 990-EZ	03	Form 4720	09
Form 990-PF	04	Form 5227	10
Form 990-T (sec. 401(a) or 408(a) trust)	05	Form 6069	11
Form 990-T (trust other than above)	06	Form 8870	12

STOP! Do not complete Part II if you were not already granted an automatic 3-month extension on a previously filed Form 8868.

- The books are in the care of ▶ KEVIN BRUBAKER

  Telephone No. ▶ (312) 673-6500 FAX No. ▶

- If the organization does not have an office or place of business in the United States, check this box ▶ [ ]
- If this is for a Group Return, enter the organization's four digit Group Exemption Number (GEN) ______ . If this is for the whole group, check this box ▶ [ ] . If it is for part of the group, check this box ▶ [ ] and attach a list with the names and EINs of all members the extension is for.

4 I request an additional 3-month extension of time until MAY 15, 2011 .

5 For calendar year ______ , or other tax year beginning JUL 1, 2009 , and ending JUN 30, 2010 .

6 If the tax year entered in line 5 is for less than 12 months, check reason: [ ] Initial return [ ] Final return [ ] Change in accounting period

7 State in detail why you need the extension
ADDITIONAL TIME IS NEEDED TO GATHER THE INFORMATION NECESSARY TO FILE A COMPLETE AND ACCURATE RETURN.

8a	If this application is for Form 990-BL, 990-PF, 990-T, 4720, or 6069, enter the tentative tax, less any nonrefundable credits. See instructions.	8a	$ 0.
b	If this application is for Form 990-PF, 990-T, 4720, or 6069, enter any refundable credits and estimated tax payments made. Include any prior year overpayment allowed as a credit and any amount paid previously with Form 8868.	8b	$ 0.
c	**Balance due.** Subtract line 8b from line 8a. Include your payment with this form, if required, by using EFTPS (Electronic Federal Tax Payment System). See instructions.	8c	$ 0.

Signature and Verification

Under penalties of perjury, I declare that I have examined this form, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete, and that I am authorized to prepare this form.

Signature ▶ David Fox Title ▶ CPA Date ▶ 2-10-2011

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