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OFFICE OF THE SECRETARIAT
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February 4, 2010

VIA E-MAIL

Mr. David Stawick
Office of the Secretariat
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, N.W.
Washington, D.C. 20581

Re: Rule Certification. New York Mercantile Exchange, Inc. Submission #10-042: Notification of Amendments to NYMEX Rules 559, 560 and 561 Relating to the Launch of Five (5) New Petroleum Swap Futures Contracts, and Administrative Amendments to Existing Related Contracts

Dear Mr. Stawick:

The New York Mercantile Exchange, Inc. ("NYMEX" or "Exchange") is notifying the Commodity Futures Trading Commission ("CFTC" or "Commission") that it is self-certifying amendments to NYMEX Rules: 559, Position Limits and Exemptions; 560, Position Accountability; and 561, Reports of Large Positions, in relation to the listing of five (5) new petroleum swap futures contracts. These amendments establish the all month/any one month accountability levels, expiration position limits, reportable levels, and diminishing balances and aggregation allocations for the new contracts. In addition, administrative amendments to existing related contracts include changes to the titles of the contracts, an aggregation allocation, and an amendment to an expiration limit.

Pursuant to Section 5c(c) of the Commodity Exchange Act ("Act") and CFTC Rule 40.6, the Exchange hereby certifies that the attached rule amendments comply with the Act, including regulations under the Act. These changes will be made effective on trade date February 8, 2010.

Should you have any questions concerning the above, please contact Anthony V. Densieski, Director, Market Surveillance, at (212) 299-2881, or me at (312) 648-5422.

Sincerely,

/s/ Stephen M. Szarmack
Regulatory Counsel

Attachment

8076

NOTIFICATION OF AMENDMENTS TO NYMEX RULES 559, 560 and 561
 (Bold/underline indicates additions; strikethrough indicates deletions)

<u>Contract Name</u>	<u>Rule Chapter</u>	<u>Commodity Code</u>	<u>Diminishing Balances Contracts</u>	<u>All Month Account-ability Level</u>	<u>Any One Month Account-ability Level</u>	<u>Expiration Month Limit</u>	<u>Expiration Account-ability Level- Penultimate and Metals Contracts</u>	<u>Reporting Level</u>	<u>Aggregate Into (1)</u>	<u>Aggregate Into (2)</u>
				<u>Rule 560</u>	<u>Rule 560</u>	<u>Rule 559</u>	<u>Rule 560</u>	<u>Rule 561</u>		
<i>Petroleum</i>										
<i>Europe</i>										
<i>Northwest Europe</i>										
<u>Brent CFD (Platts) vs. Brent Third Month (Platts) Swap Futures</u>	<u>316</u>	<u>59</u>	<u>*</u>	<u>5,000/5,000</u>	<u>5,000/5,000</u>	<u>1,000/1,000</u>		<u>25</u>	<u>UB</u>	<u>59</u>
Brent CFD (Platts) vs. Brent Front Month (Platts) Swap Futures	319	1C	*	5,000/5,000	5,000/5,000	1,000/1,000		25	UB	1C
Brent CFD (Platts) vs. Brent Second Month (Platts) Swap Futures	699	6W	*	5,000/5,000	5,000/5,000	1,000/1,000		25	UB	59
Dated Brent (Platts) Daily Swap Futures	714	7G		7,000	5,000	<u>1,000</u>	1,000		25	7G <u>UB</u>
<u>European Naphtha (Platts) Crack Spread BALMO Swap Futures</u>	<u>636</u>	<u>43</u>	<u>*</u>	<u>1,500/20,000</u>	<u>1,500/20,000</u>	<u>150/2,000</u>		<u>25</u>	<u>UN</u>	<u>BB</u>
<u>1% Fuel Oil Rdam vs. 1% Fuel Oil NWE (Platts) Swap Futures</u>	<u>611</u>	<u>33</u>	<u>*</u>	<u>1,500/1,500</u>	<u>1,500/1,500</u>	<u>150/150</u>		<u>25</u>	<u>UH</u>	<u>UF</u>
<u>Northwest Europe Fuel Oil High-Low Sulfur Spread (Platts) BALMO Swap Futures</u>	<u>663</u>	<u>88</u>	<u>*</u>	<u>1,500/1,500</u>	<u>1,500/1,500</u>	<u>150/150</u>		<u>25</u>	<u>UF</u>	<u>UV</u>
<u>3.5% Fuel Oil Rdam vs. 3.5% FOB MED Spread (Platts) BALMO Swap Futures</u>	<u>605</u>	<u>63</u>	<u>*</u>	<u>1,500/1,500</u>	<u>1,500/1,500</u>	<u>150/150</u>		<u>25</u>	<u>UI</u>	<u>UV</u>