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OFFICE OF THE SECRETARIAT  
2009 SEP 3 PM 12 26

September 3, 2009

**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 #09-190: Notification of Amendments to NYMEX Rules 559, 560 and 561 in Connection with the Launch of Two (2) New In Delivery Month Option 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 two (2) new In Delivery Month Option contracts. These amendments establish the all month/any one month accountability levels, expiration position limits, reportable levels and aggregation allocations for the new contracts.

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 September 21, 2009.

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  
Director and Associate General Counsel

Attachment

**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>All Month Accountability Level</u>	<u>Any One Month Accountability Level</u>	<u>Expiration Month Limit</u>	<u>Reporting Level</u>	<u>Aggregate Into (1)</u>
			<u>Rule 560</u>	<u>Rule 560</u>	<u>Rule 559</u>	<u>Rule 561</u>	
<i>Emissions</i>							
<u>In Delivery Month European Union Allowance (EUA) Serial Option</u>	<u>909</u>	<u>9G</u>	<u>70,000</u>	<u>50,000</u>	<u>10,000</u>	<u>25</u>	<u>6T</u>
<u>In Delivery Month Certified Emission Reduction (CER) Serial Option</u>	<u>910</u>	<u>9E</u>	<u>30,000</u>	<u>20,000</u>	<u>4,000</u>	<u>25</u>	<u>6S</u>