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September 9, 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 #10-259:  
Notification Regarding the Extension of an Incentive Program with Regard to the  
Listed Environmental Futures and Option Contracts**

Dear Mr. Stawick:

The New York Mercantile Exchange, Inc. ("NYMEX" or the "Exchange") is notifying the Commodity Futures Trading Commission ("CFTC" or "Commission") that it is self-certifying the extension of a trading and clearing fee waiver program for environmental futures and option contracts listed below. The incentive program will waive trading and clearing fees for these contracts until December 31, 2010.

| Contract   | Code | Rule Chapter |
|--|------|--------------|
| In Delivery Month European Union Allowance (EUA) Futures                     | 6T   | 850          |
| In Delivery Month European Union Allowance (EUA) Option                      | 6U   | 851          |
| In Delivery Month Certified Emission Reduction (CER) Futures                 | 6S   | 852          |
| In Delivery Month Certified Emission Reduction (CER) Option                  | 6P   | 853          |
| Seasonal NOX Emissions Allowance Vintage 2009 Futures                        | YI   | 860          |
| Seasonal NOX Emissions Allowance Vintage 2010 Futures                        | YJ   | 861          |
| Seasonal NOX Emissions Allowance Vintage 2011 Futures                        | YN   | 862          |
| Seasonal NOX Emissions Allowance Vintage 2012 Futures                        | YM   | 863          |
| Annual NOX Emissions Allowance Vintage 2009 Futures                          | WW   | 864          |
| Annual NOX Emissions Allowance Vintage 2010 Futures                          | YP   | 865          |
| Annual NOX Emissions Allowance Vintage 2011 Futures                          | YQ   | 866          |
| Annual NOX Emissions Allowance Vintage 2012 Futures                          | YR   | 867          |
| European Union Allowance (EUA) Futures                                       | RC   | 868          |
| European Union Allowance (EUA) Option  | AV   | 869          |
| Certified Emission Reduction (CER) Futures                                   | VA   | 870          |
| SO2 Emissions Allowance Option   | AS   | 871          |
| Certified Emission Reduction (CER) Option                                    | VG   | 872          |
| Regional Greenhouse Gas Initiative (RGGI) CO2 Allowance Futures              | RJ   | 873          |
| Regional Greenhouse Gas Initiative (RGGI) CO2 Allowance Vintage 2009 Futures | 98   | 873          |
| Regional Greenhouse Gas Initiative (RGGI) CO2 Allowance Vintage 2010 Futures | 76   | 873          |
| Regional Greenhouse Gas Initiative (RGGI) CO2 Allowance Vintage 2011 Futures | 86   | 873          |
| Regional Greenhouse Gas Initiative (RGGI) CO2 Allowance Vintage 2012 Futures | 96   | 873          |

|  |     |     |
|--|-----|-----|
| Regional Greenhouse Gas Initiative (RGGI) CO2 Allowance Option     | OR  | 874 |
| Nox Emissions Allowance Futures                                    | RN  | 783 |
| SO2 Emissions Allowance Future                                     | RS  | 782 |
| SO2 Emissions Allowance Option                                     | AS  | 871 |
| SO2 Emission 25 Allowance - Current Vintage Future                 | 09  | 554 |
| SO2 Emission 25 Allowance - Vintage 2010 Futures                   | VAF | 554 |
| SO2 Emission 25 Allowance - Vintage 2010 Futures                   | 10  | 554 |
| SO2 Emission 25 Allowance - Vintage 2011 Futures                   | 11  | 554 |
| SO2 Emission 25 Allowance - Vintage 2012 Futures                   | 12  | 554 |
| SO2 Emission 25 Allowance - Vintage 2013 Futures                   | 13  | 554 |
| SO2 Emission 25 Allowance - Vintage 2014 Futures                   | 14  | 554 |
| SO2 Emissions 25 Allowance - Options                               | S2  | 606 |
| Climate Action Reserve (CAR) Futures-Non Vintage                   | CR  | 917 |
| Climate Action Reserve (CAR) Futures- Vintage 2009                 | 92  | 917 |
| Climate Action Registry (CAR) Futures- Vintage 2010                | 93  | 917 |
| Climate Action Reserve (CAR) Futures- Vintage 2011                 | 94  | 917 |
| Climate Action Reserve (CAR) Futures- Vintage 2012                 | 95  | 917 |
| In Delivery Month European Union Allowance (EUA) Serial Option     | 9G  | 909 |
| In Delivery Month Certified Emission Reduction (CER) Serial Option | 9E  | 910 |

Pursuant to Section 5c(c) of the Commodity Exchange Act ("Act") and CFTC Rule 40.6, the Exchange hereby certifies that the extension of the incentive program complies with the Act, including regulations under the Act. The extension of the incentive program shall be retroactive as September 1, 2010.

Should you have any questions concerning the above, please contact Brad Leach at (212) 299-2609 or the undersigned at (312) 648-5422.

Sincerely,

/s/ Stephen M. Szarmack  
Regulatory Counsel