



Pacific Northwest Laboratories
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November 20, 1989

John J. Linehan, Director
Repository Licensing & Quality Assurance
Project Directorate
Division of High-Level Waste Management
Office of Nuclear Material Safety and Safeguards
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Dear Mr. Linehan:

Battelle, Pacific Northwest Laboratories is pleased to learn of your interest in obtaining a copy of the AREST computer code as requested by Mr. Ralph Stein of the U. S. Department of Energy. Because of the interest the industrial sector has expressed in obtaining the AREST code, Battelle has chosen to protect the code through copyright. We will promptly provide a copy of AREST to you at no cost upon acceptance of the following terms:

1. NRC will not release the software to any third party. The software has been copyrighted by Battelle Memorial Institute and is protected as a trade secret.
2. NRC will notify PNL of any publication of new findings that may be uncovered through the use of the code.
3. If NRC discovers code errors, NRC will communicate these errors to the code developers at PNL.
4. If NRC makes any nonproprietary improvements or modifications to the code, these improvements or modifications will be made available to PNL for the Department of Energy. Should any code improvements or modifications or the results of code use be determined to be proprietary to NRC, PNL will utilize its procedures to protect such information if PNL requests to receive them.
5. NRC recognizes that the code is provided by PNL on an as-is basis without support. In using this code, bear in mind that the assessment of the code has not yet been completed. PNL does not warrant the accuracy of the results for any particular use or application.

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6. Use by Government employees is authorized provided that such individuals are made aware of their legal obligation to maintain the confidentiality of the software. Government contractor employees must be under contractual obligation not to use or release the code, except as authorized herein.
7. NRC may make one copy for backup purposes only. No other copying is authorized except with the advance written approval of the PNL Contracting Officer.

The signature below of an authorized NRC official will indicate acceptance of these conditions. If acceptable, I will arrange for the transmittal of the tape and user's manual(s) to you. Please feel free to contact Mr. M. D. Erickson (509-375-2360) of PNL should you have any further questions.

Sincerely,



L. D. Williams
Director, Technology Transfer

LDW:dc

On behalf of the U. S. Nuclear Regulatory Commission, I hereby agree to conditions 1 through 7 contained in this letter for a limited Government license to use the AREST computer code.

Signature

Date

Name (Print)

Title