



Entergy Nuclear Northeast  
Entergy Nuclear Operations, Inc.  
440 Hamilton Ave.  
White Plains, NY 10601  
Tel 914 272 3500

---

Melvyn Leach, Director  
Division of Preparedness and Response  
Office of Nuclear Security and Incident Response  
U.S. Nuclear Regulatory Commission  
11545 Rockville Pike  
Mail Stop: T-3B46M  
Rockville, MD 20850

Dear Mr. Leach:

Subject: Non-Disclosure Agreement for a Computer Code of the U.S. Nuclear Regulatory Commission

On behalf of Entergy Operations, Inc., I am requesting a copy of the U.S. Nuclear Regulatory Commission's ("NRC") Radiological Assessment Code for Consequence Analysis (RASCAL) code and code documentation (collectively, the "Code"). Entergy desires to improve the Code by modifying it to allow automatic data retrieval from nuclear power plant computer systems. I understand that the conditions for receiving the Code are as follows:

1. Entergy understands that the Code is the result of work sponsored by an agency of the United States Government and recognizes that neither the United States Government nor any agency thereof, nor any of their employees, makes any warranty, expressed or implied, or assumes any legal liability or responsibility for any third party's use, or the results of such use, or of any information, product, or process included in or calculated by the Code, or represents that the use by such third party would not infringe privately-owned rights.
2. Entergy shall not release the Code to any third party without obtaining prior written permission from the NRC, and unless the third party obtains written permission in advance from the NRC, this does not apply to secured third party employees working under Entergy's auspices.
3. Entergy shall notify the NRC about any reactor safety problem which may be uncovered through the use of the Code.
4. Entergy shall communicate to the NRC any errors in the Code of which Entergy become aware.

5. Entergy shall provide the NRC with any nonproprietary improvements or modifications made to the Code, pursuant to terms agreed upon as between the NRC and Entergy at that time.
6. Entergy shall provide the NRC with a nonproprietary summary of any proprietary modifications made to the Code, including a summary of impact of such modifications, if any, on representative code calculations, but not including any information proprietary to Entergy.
7. Entergy shall identify its modified version of the Code with a name other than RASCAL. The name for Entergy's modified version of the Code may include the acronym RASCAL (e.g., "RASCAL-Entergy").
8. Entergy is solely responsible for obtaining any assistance needed to implement or use the Code.
9. Entergy is not a foreign entity, where the term "foreign entity" is defined as an entity where 75 percent or more of the voting interest is owned by non-U.S. citizens.
10. Entergy employees shall not remove a copy of the software from the workplace (the workplace includes Entergy offices and remote work locations), and the software is not for the personal use of the employee.
11. In no event shall the US Government, nor any agency thereof, nor any representative thereof; nor Entergy, nor any representative thereof, be liable for consequential, indirect, incidental, or special damages arising from the use, improvement or modification of the Code.
12. These conditions constitute the entire understanding between the NRC and Entergy as to Entergy's proposed improvement or modification of the Code and supersedes all prior and collateral communications, agreements and understandings between the NRC and Entergy relating to Entergy's proposed improvement or modification of the Code. These conditions may only be amended by a written instrument executed by representatives of each of Entergy and the NRC.

My signature below indicates Entergy's acceptance of these conditions.

Michael J. Slobodien                      29 June 2009  
Signature    Date

USA  
Citizenship (for non-U.S. citizen, also list here if you are  
a U.S. permanent resident)

Michael J. Slobodien                      Director Emergency Planning  
Printed Name    Title (Position)

mslobod@entergy.com                      914-272-3352  
E-mail Address    Phone Number

440 Hamilton Ave., White Plains, NY 10601  
Mailing Street Address

http://www.entergy.com  
Website Address of the Company (if available)

*These are the principal users of the code. Additional users may be added over the project duration.*

Point of Contact/Name of Code User 1: Nicholas Avrakotos

Citizenship (also list here if you are a U.S. permanent resident): USA

Phone Number: 315-592-0605  
navrako@entergy.com

E-mail Address:

Planned Use of the Code: produce capability to automatically import plant parameter to enter data into RASCAL code and then export completed RASCAL calculations to local and state government notification forms. This is intended to reduce the manual data entry requirements for code users.

Mailing Street Address (if different from the address above):

Name of Code User 2: Thomas Sowdon

Citizenship: USA

Phone Number: 508-830-8834  
tsowdon@entergy.com

E-mail Address:

Name of Code User 3: Citizenship:  
Phone Number:

E-mail Address:

Name of Code User 4:

Citizenship:

Phone Number:

E-mail Address:

Name of Code User 5:

Citizenship:

Phone Number:

E-mail Address: