



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001**

**NON-DISCLOSURE AGREEMENT
for release of data related to
"1 kW separate effect test performed on 2/16/2011
as part of the OECD/NEA Spent Fuel Pool Project to study
pressurized-water reactor spent fuel heat-up and propagation phenomena"**

THIS AGREEMENT, made as of / / , by:

Terry Senuc, Licensing Manager

Holtec International, Marlton, New Jersey

WITNESSETH:

WHEREAS, the undersigned is a licensee of the U.S. Nuclear Regulatory Commission (NRC).

WHEREAS, the NRC is providing the following data to Holtec for the purpose of re-calibration of the computer model that Holtec International is using on HI-STORM 100 License Amendment Request No. 9 Thermal Analysis.

- The data provided is the volumetric flow, ambient temperature and maximum cladding temperature at the elevations of 136 and 142 inches as a function of time for the 1 kW separate effect test performed on 2/16/2011. This separate effect test is part of the first phase of the OECD/NEA Spent Fuel Pool Project to study pressurized-water reactor spent fuel heat-up and propagation phenomena.

The above mentioned data is Sensitive Unclassified Non-Safeguards Information (SUNSI) and Official Use Only (OUO). Handling of such documents has to be done in accordance with the SUNSI policies and procedures attached.

NOW, THEREFORE, Holtec agrees as follows:

1. Holtec acknowledges that the information obtained from the NRC is considered by the NRC to contain OUO information.
2. Holtec agrees to treat and safeguard the information as containing OUO information and will not copy or use such information other than for the sole aforementioned purpose without express, written authorization from the NRC. Holtec will not release information to any third party without the third party establishing prior non-disclosure agreement (NDA) directly with NRC. This includes identified Holtec staff requiring this information. Holtec will not release this data to the public.

Non-Disclosure Agreement

Holtec User 1:

By: _____ (Signature)

Date: _____

Printed Name: _____
Title (Position): _____
E-mail Address: _____
Phone Number: _____
Mailing Address: _____

Holtec User 2:

By: _____ (Signature)

Date: _____

Printed Name: _____
Title (Position): _____
E-mail Address: _____
Phone Number: _____
Mailing Address: _____

Holtec User 3:

By: _____ (Signature)

Date: _____

Printed Name: _____
Title (Position): _____
E-mail Address: _____
Phone Number: _____
Mailing Address: _____

Add additional Holtec Users as needed

Non-Disclosure Agreement

3. Holtec agrees to use the aforesaid records or data only for the purpose of work under this NDA. The information shared will only be viewed by Holtec employees with a need to know and will be treated as OOU that shall have a cover sheet with the marking "OFFICIAL USE ONLY".
4. Holtec agrees that all OOU information which were provided by the NRC in written or recorded form and all copies thereof shall be treated as OOU until further notification by NRC .
5. Holtec agrees to communicate to NRC with regard to any request for additional information. Holtec will submit any comments regarding the 1 kW separate effect test data to the NRC.
6. The information shared may be provided to Holtec employees listed and signing below. By signing this non-disclosure agreement, the Holtec employees signify their understanding of the conditions for receiving the information.

IN WITNESS WHEREOF, Alexander Velazquez-Lozada, NRC Project Manager, has caused this Agreement to be executed to be effective as of the day and year herein above first mentioned.

ATTACHMENT 1: Letter from Holtec requesting the data.

ATTACHMENT 2: NRC Policy For Handling, Marking, and Protecting Sensitive Unclassified Non-Safeguards Information