

JUN 23 1994

Dr. Tien P. Lee
Pacific Gas and Electric Co.
333 Market Street
San Francisco, CA 94106

Dear Dr. Lee:

This is in response to your request for the RELAP5/MOD3 computer code and the nuclear plant analyzer (NPA) software. The U.S. Nuclear Regulatory Commission (NRC) will arrange to transmit to the Pacific Gas and Electric Co. (PG&E) a magnetic tape containing the code and a copy of the user instructions provided that PG&E agrees to the following conditions:

1. PG&E will not release the code software to any third party, unless that third party has also obtained an agreement with the NRC. If PG&E becomes a subsidiary or affiliate of an organization based outside the U.S., that organization will be considered to be a third party under the terms of this agreement.
2. PG&E should notify the NRC of any reactor safety problem which may be uncovered through the use of the code.
3. If PG&E discovers code errors, PG&E should communicate these errors to the code developers at the Idaho National Engineering Laboratory (INEL).
4. PG&E should make any nonproprietary analyses using this code available to the NRC.
5. If PG&E makes any nonproprietary improvements or modifications to the code, these improvements or modifications should be made available to the NRC. Should any code improvements, or modifications, or the results of code use be determined to be company proprietary, the NRC will utilize its procedures to protect such information.
6. PG&E should provide NRC with a nonproprietary summary of any proprietary modifications to the code developed by PG&E, including a summary of the impact on representative predictions.
7. PG&E is solely responsible for obtaining any assistance needed to implement or use this software.

In interpreting the results of your analyses using this software bear in mind that the assessment of the software has not been quantified. We do not warrant the accuracy of the results for any particular use or application.

RELAP5/MOD3 and other NRC-developed codes are publicly available and have been released to many organizations including nuclear utilities, vendors, and service organizations. NRC or its contractors are not responsible for making modifications to codes released to these organizations. Each recipient organization is solely responsible for implementing the code for its purposes.

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NRC Generic Letter 83-11 stressed the importance of computer code verification by the user. Understanding code use and limitations is vital if a code that was developed by others is used for analyses that support licensing actions. This is particularly true when the application involves a novel use of a code.

The signature below of an appropriate official of PG&E will indicate acceptance of these conditions. If you accept these conditions, I will arrange for the transmittal of the code to you. Please contact me at (301) 415-6488, should you have any further questions.

It is understood that PG&E will pay the shipping and handling charges for the tapes and documents.

Sincerely,


Donald E. Solberg, Senior Reactor Engineer
Reactor and Plant Systems Branch
Division of Systems Research
Office of Nuclear Regulatory Research

I hereby agree to conditions 1 through 7 contained in this letter for the transmittal of the RELAP5/MOD3 code to Pacific Gas and Electric Co.

Signature (Date)

Printed Name (Date)

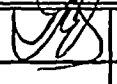

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