

MAY 25 1994

Mr. Frank G. Lentine
Commonwealth Edison Co.
1400 Opus Place
Suite 300
Downers Grove, IL 60521

Dear Mr. Lentine:

This letter replies to your request to obtain the latest version of the MELCOR code. We approve of your access within the restrictions stated below. A copy of this letter may be used for signature and returned to the NRC.

The U.S. Nuclear Regulatory Commission (NRC) will request the Sandia National Laboratories (SNL) to transmit to you the source program for the above mentioned code. Prior to the release of the code, Commonwealth Edison Company (CEC) should agree to the following conditions:

1. CEC understands that the above stated 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 this code, or represents that the use by such third party would not infringe privately-owned rights.
2. CEC will not release the code software to any third party, unless that third party has also obtained an agreement with the NRC. If CEC becomes a subsidiary or an 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 and should not be given a copy of the code unless the organization signs an agreement with the NRC.
3. If CEC discovers code errors, CEC should communicate these errors to the code developers at the Sandia National Laboratories.
4. If CEC makes any improvements or modifications to the code, these improvements or modifications should be made available to the NRC. Should any improvements or modifications or the results of the code use be determined to be proprietary, the NRC will utilize its procedures to protect such information if the NRC requests the proprietary modifications.
5. CEC should notify the NRC of any reactor safety problem that may be uncovered through the use of the code.

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- 6. CEC should make any nonproprietary analyses using the code available to the NRC.
- 7. CEC should provide NRC with a nonproprietary summary of any proprietary modifications to the code developed by CEC including a summary of the impact on representative code calculations.
- 8. CEC will reimburse Sandia National Laboratories for all costs associated with transmitting the source program tape and associated documentation. If CEC requires assistance to implement this software, the NRC will provide some assistance when requested. If the request for assistance becomes extensive, NRC will arrange for additional compensation for such assistance under a separate letter agreement.

The signature below of an appropriate official of CEC indicates acceptance of these conditions. If you accept these conditions, I will arrange for the transmittal of the tape and users manual to you. Please feel free to contact Dr. Sud Basu (301-492-3561) of the Accident Evaluation Branch should you have any further questions.

Sincerely,

[Signature]
 Farouk Eltawila, Chief
 Accident Evaluation Branch
 Division of Systems Research
 Office of Nuclear Regulatory Research

I hereby agree to conditions 1 through 8 contained in this letter for the transmittal of the MELCOR code to CEC.

 Signature Date

 Name (Print)

 Title (Position)

Distribution:

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DATE:			5/25/94	