



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

JAN 31 1992

Mr. Alan Hackerott
Omaha Public Power District
444 So. 16th Street Mall
TW-EP
Omaha, Nebraska 68102-2247

Dear Mr. Hackerott:

In accordance with Ms. Doreen Jones' request of January 28, 1992, to send a non-disclosure agreement to obtain the CONTAIN code. We approve of your access within the restrictions that apply from the usual conditions that restrict further distribution of the CONTAIN code as stated below. A copy of this letter may be used for signature and returned to the NRC.

Prior to the release of the code, Omaha Public Power District (OPPD) should agree to the following conditions:

1. OPPD understands that the CONTAIN code is the result of work sponsored by an agency of the United States Government. OPPD 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. OPPD will not release the code software to any third party.
3. OPPD should notify the NRC of any reactor safety problem that may be uncovered through the use of the code.
4. If OPPD discovers code errors, OPPD should communicate these errors to the code developers at the Sandia National Laboratories.
5. OPPD should make any non-proprietary analyses using the code available to the NRC.
6. If OPPD makes any 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 proprietary, the NRC will utilize its procedures to protect such information if it requests to receive them.
7. OPPD should provide NRC with a non-proprietary summary of any proprietary modifications to the code developed by OPPD including a summary of the impact on representative predictions.

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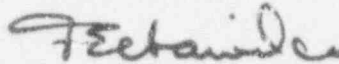
Mr. Alan Hackerott

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8. OPPD will reimburse SNL for all costs associated with transmitting the source program tape and associated documentation. If OPPD 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 separate letter agreement.

The signature below of an appropriate official of the OPPD indicates acceptance of these conditions. If you accept these conditions, I will arrange for the transmittal of the tape and user's manual to you. Please feel free to contact Mr. Allen Notafrancesco (301-492-3537) of the Accident Evaluation Branch should you have any further questions.

Sincerely,



Farouk Elcawila, 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 CONTAIN code to the Omaha Public Power District.

Kevin Holthaus
Signature

5-4-92
Date

Kevin Holthaus
Name (Print)

Manager - Nuclear Engineering
Title (Position)

cc: K. Washington. (SNL)