

Mutual Copyright Materials Use Agreement

1. Releasing and Receiving Company/Organization: Electric Power Research Institute, Inc. (“EPRI”) and the U.S. Nuclear Regulatory Commission (“NRC”). EPRI and the NRC each (referred to as “Party” and collectively as “Parties”) hereby provide copyright permission in Materials to the other Party for Intended Use pursuant to the defined parameters below.
2. Materials Subject to Copyright Protection (“Materials”): All reports or portions thereof connected with the Parties’ joint projects involving the Extremely Low Probability of Rupture (xLPR) code (described in more detail below) and generated by each Party pursuant to the listed Addenda to the March 14, 2007, and September 30, 2016, Memoranda of Understanding (MOU) between the U.S. Nuclear Regulatory Commission’s Office of Nuclear Regulatory Research (NRC/RES) and the Electric Power Research Institute (EPRI) on Cooperative Nuclear Safety Research (NRC Agencywide Documents Access and Management System (ADAMS) Accession Nos. ML070740114 and ML16223A497, respectively).
 - a. Addendum on Extremely Low Probability of Rupture (xLPR) V2 (*all versions*)
 - b. Addendum on Extremely Low Probability of Rupture Version 2 Code Maintenance, Support, and Distribution (ML20073F692)
 - c. Addendum on xLPR Version 2 Code Documentation and Leak-Before-Break Applications (ML17040A146)
3. Intended Use: The Parties have jointly developed a probabilistic fracture mechanics computer code named “xLPR”. The Parties wish to publish certain reports containing copyrighted materials from Materials or include portions of these reports in other publications and presentations. One such report, to be published by both parties in parallel, will be published by EPRI as a planned deliverable tentatively titled, “Extremely Low Probability of Rupture Version 2 Probabilistic Fracture Mechanics Code” (EPRI PID 3002013307), and by the NRC as a planned NUREG-series report, similarly titled. The NRC also envisions posting Materials to NRC’s publicly accessible Agencywide Documents Access and Management System.
4. Scope or Limitation of Use of Materials: The Parties may use, on a non-exclusive basis, Materials in its publication and presentation and may publish, republish, transmit, and distribute in electronic and print editions in all languages and in all media of expression throughout the world. The publication, republication, transmission, and distribution of reports require the inclusion of the applicable notice as identified in Exhibit A. For those Materials not explicitly listed in Exhibit A, the applicable notice shall be assigned by mutual agreement of the Project Contacts identified in the MOU addendum under which the Material was produced or is being jointly maintained by EPRI and NRC/RES.
5. Non-Endorsement: The NRC acknowledges that EPRI neither endorses products or services, nor allows the Materials to be used as an endorsement. Therefore, the NRC agrees that it will not, whether explicitly or through implication, use EPRI’s name, logo, trademarks, the name, title, image or statements of EPRI employees or this Release for advertising or other promotional purposes, raising of capital, recommending investments, or in any way that states or implies endorsement by


EPRI. Any exceptions to this clause will require the advanced written approval of EPRI's Vice President of Marketing, which may be withheld at EPRI's sole discretion.

EPRI acknowledges that NRC neither endorses products or services, nor allows the Materials to be used as an endorsement. Therefore, EPRI agrees that it will not, whether explicitly or through implication, use NRC's name, logo, trademarks, the name, title, image or statements of the NRC staff or this Release for advertising or other promotional purposes, raising of capital, recommending investments, or in any way that states or implies endorsement by the NRC. Any exceptions to this clause will require the advanced written approval of NRC's Director of the Office of Nuclear Regulatory Research, which may be withheld at NRC's sole discretion.

Without any further consideration from either Party, the Parties hereby grant each other the permission to use Materials for the Intended Use, as stated in paragraph 3 above.

EPRI:

Electric Power Research Institute, Inc.
3420 Hillview Ave. Palo Alto, CA 94303

By: 
Name: York Huang
Title: Associate General Counsel
Date: April 30, 2021

NRC:

U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

By: Stephanie M. Coffin Digitally signed by Stephanie M. Coffin
Date: 2021.04.29 16:35:34 -04'00'
Name: Stephanie M. Coffin
Title: Deputy Office Director
Date: 29 April 21

Exhibit A

Report	Applicable Notice
Leak Rate Module Development for xLPR Version 2.0	<p data-bbox="842 394 1024 422">DISCLAIMER</p> <p data-bbox="842 464 1386 1089">THIS PUBLICATION WAS PREPARED AS AN ACCOUNT OF WORK JOINTLY SPONSORED BY THE ELECTRIC POWER RESEARCH INSTITUTE (EPRI) AND AN AGENCY OF THE U.S. GOVERNMENT. NEITHER EPRI NOR THE U.S. GOVERNMENT NOR ANY AGENCY THEREOF, NOR ANY EMPLOYEE OF ANY OF THE FOREGOING, 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, OF ANY INFORMATION, APPARATUS, PRODUCT, OR PROCESS DISCLOSED IN THIS PUBLICATION, OR REPRESENTS THAT ITS USE BY SUCH THIRD PARTY COMPLIES WITH APPLICABLE LAW.</p> <p data-bbox="842 1131 1386 1421">THIS PUBLICATION DOES NOT CONTAIN OR IMPLY LEGALLY BINDING REQUIREMENTS. NOR DOES THIS PUBLICATION ESTABLISH OR MODIFY ANY REGULATORY GUIDANCE OR POSITIONS OF THE U.S. NUCLEAR REGULATORY COMMISSION AND IS NOT BINDING ON THE COMMISSION.</p>
Axial and Circumferential Crack Stability Module Development for xLPR Version 2.0	
Summary of the xLPR Version 2.0 Crack Opening Displacement (COD) Modules	

Report	Applicable Notice
Extremely Low Probability of Rupture Version 2 Probabilistic Fracture Mechanics Code	<p data-bbox="846 275 1024 302">DISCLAIMER</p> <p data-bbox="846 352 1386 982">THIS PUBLICATION WAS PREPARED AS AN ACCOUNT OF WORK JOINTLY SPONSORED BY THE ELECTRIC POWER RESEARCH INSTITUTE (EPRI) AND AN AGENCY OF THE U.S. GOVERNMENT. NEITHER EPRI NOR THE U.S. GOVERNMENT NOR ANY AGENCY THEREOF, NOR ANY EMPLOYEE OF ANY OF THE FOREGOING, 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, OF ANY INFORMATION, APPARATUS, PRODUCT, OR PROCESS DISCLOSED IN THIS PUBLICATION, OR REPRESENTS THAT ITS USE BY SUCH THIRD PARTY COMPLIES WITH APPLICABLE LAW.</p> <p data-bbox="846 1035 1386 1129">EPRI RETAINS COPYRIGHT IN EPRI-GENERATED MATERIALS CONTAINED IN THIS PUBLICATION.</p> <p data-bbox="846 1182 1386 1476">THIS PUBLICATION DOES NOT CONTAIN OR IMPLY LEGALLY BINDING REQUIREMENTS. NOR DOES THIS PUBLICATION ESTABLISH OR MODIFY ANY REGULATORY GUIDANCE OR POSITIONS OF THE U.S. NUCLEAR REGULATORY COMMISSION AND IS NOT BINDING ON THE COMMISSION.</p>
Sensitivity Studies and Analyses Involving the Extremely Low Probability of Rupture Code	
Program Integration Board Report	
Inputs Group Report	
Computational Framework Development, Testing, and Analysis	
Sources and Treatment of Uncertainty in the xLPR Version 2 Code	
PWSCC Initiation Model Parameter Development, Confirmatory Analyses, and Validation for xLPR Version 2.0	
Welding Residual Stress Modeling Development for xLPR Version 2.0	
PWSCC & Fatigue Crack Initiation Module Development	
PWSCC & Fatigue Crack Growth and Coalescence Module Development	
Surface and Through-Wall Crack Stress Intensity Factor Module Development	
In-Service Inspection (ISI) Module Development	
Surface-to-Through-Wall Crack Transition Module Development for xLPR Version 2.0	
Cyclic Stress Intensity Factors Due to Operating Transients—Module Development (TIFFANY)	