

10 CFR 26, Subpart I

Draft FAQ Response on Applicability of Work Hour Controls to Travel Time

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Background

- NRC received request for clarification on applicability of work hour controls to contractor travel time when travelling between licensee sites
- NRC staff developed draft FAQ response (ML23121A212)
- Question, staff analysis, and draft response presented at May 2023 ROP bi-monthly meeting (ML23131A397)

Inquiry

“I work for a company that supplies contractors to do covered work for different nuclear facilities. We use workforce software to track our employees. My question is on travel time from plant to plant. **Are we subject to count travel time if we are moving an employee from one licensee plant to another licensee plant? Whether they are the same company or not?** It's confusing because we track all of our employees in our workforce system, but each plant has their own procedure for their WHR.”

Summary of Analysis and Draft Response

- The draft response integrates existing guidance and FAQ responses to answer the specific inquiry.

Summary of Analysis and Draft Response

- Travel time that is required by the licensee is work performed for the licensee and subject to work hour controls.
- Which work hour guidelines are applicable depends on whether the transition period between licensee sites is 9 days or less or greater than 9 days.
- The NRC recognizes that work hour records for contractors arriving on site may not be readily available. Licensees must make reasonable efforts to verify that contractors arriving on site are fit for duty.

Path Forward

References

- Regulatory Guide (RG) 5.73, “Fatigue Management for Nuclear Power Plant Personnel” (ADAMS Accession No. ML083450028)
- Nuclear Energy Institute’s NEI 06-11, Revision 1, “Managing Personnel Fatigue at Nuclear Power Reactor Sites” (ADAMS Accession No. ML083110161)
- NRC responses to Frequently Asked Questions About Managing Fatigue can be found at <https://www.nrc.gov/reactors/operating/ops-experience/fitness-for-duty-programs/faqs/manage-fatigue.html>.