

NOTE: The NRC is making this draft guidance language available to the public solely for the purpose of providing information to the public. In addition, the release of the draft guidance language is necessary to facilitate NRC staff discussions with the public at upcoming public meetings. The language does not represent an NRC staff recommendation to the Commission, nor has it been reviewed by the Commission. Therefore, the draft guidance language may be subject to significant revisions during the rulemaking process. The NRC is not requesting any written public comments on this draft guidance language, and no stakeholder requests for a comment period will be granted at this stage in the rulemaking process. Following Commission direction to proceed with the proposed rule, the NRC will seek written public comments via a notice in the *Federal Register*.

## TRAVEL TIME GUIDANCE

Travel time that is required by the licensee is work performed for the licensee. This time should be counted as work hours for individuals who are subject to work hour controls. Travel is a non-covered duty and the time spent traveling should be included in the calculation of work hours (e.g., for determining the applicability of work hour controls and waiver requirements) as would any other non-covered duty. A normal daily commute is not considered to be work performed for the licensee and should not be included in the calculation of work hours.

Travel may: (1) occur wholly during an individual's normally scheduled work shift, (2) begin or end outside the bounds of an individual's normally scheduled work shift, or (3) occur wholly outside the bounds of an individual's normally scheduled work shift. The following guidelines apply to these instances, respectively:

1. Travel time that is required by the licensee and occurs wholly within an individual's normally scheduled work shift should be counted as work hours and may be treated as time performing non-covered duties when applying work hour controls.
2. Travel time that is required by the licensee and that begins or ends outside the bounds of an individual's normally scheduled work shift should be calculated as work hours, added to the total duration of the work period, and treated as time performing non-covered duties when applying work hour controls.
3. Travel time that occurs wholly outside of a normally scheduled work shift can be accounted for using either of two different methods depending on the timing of the travel relative to the preceding and succeeding work shifts.
  - a. The travel time can be considered a separate work period. Using this method, only the travel time will be counted. This method requires a 10-hour break before and after the travel work period.
  - b. The travel time can be considered an extension to the preceding or succeeding work shift. Using this method, any time between the travel period and the preceding or succeeding work shift that it extends must be counted as work hours.

Note: Travel that occurs wholly outside of a normally scheduled work shift may be considered incidental duties performed off-site when the total duration of the travel does not exceed a nominal 30 minutes during any single break period. Such limited travel need not be included in the calculation of work hours.

The amount of travel time counted as work hours should be the time that the individual actually spends completing the travel, including any involuntary stops or diversions that were for reasons

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beyond the control of the traveler (e.g., weather and traffic). For travel that includes voluntary stopovers or diversions (e.g., leisure travel), the licensee should include in the calculation of travel time only the amount of time it would take to travel from the point of origin to the destination as if there were no stopovers or diversions. In such circumstances licensees may account for travel time by using an established method.