



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION III
2443 WARRENVILLE ROAD, SUITE 210
LISLE, ILLINOIS 60532-4352

JAN 06 2009

Thomas A. Schumacher, M.S.
Radiation Safety Officer
Roche Diagnostics Corporation
9115 Hague Road
Indianapolis, IN 46250

Dear Mr. Schumacher:


This regards your amendment request dated September 24, 2008, and our telephone conversation on December 30, 2008. In your letter, you requested Rodney Pennington, Ph.D., and Harvey Buck be removed from your NRC license. The reviewer informed you that Dr. Pennington and Mr. Buck were the only authorized users listed on the license and removing them would cause the NRC to convert the license to possession only. You informed the reviewer that Dr. Pennington and Mr. Buck still work at Roche Diagnostics Corporation and you asked that they remain on the license. You also informed the reviewer that licensed activities have not been active since January of 2008. Therefore, discussion was held concerning 10 CFR 30.36 (d)(3) that requires the NRC be notified if principle activities have not been conducted for a period of 24 months. You then stated that use of licensed material was planned in the near future.

We also discussed your request to change the Assistant Radiation Safety (ARSO). The reviewer informed you that your current NRC license does not list an ARSO and referenced documents listed in license condition No. 17 did not reference an ARSO.

Therefore, we determined that an amendment was not necessary and that your request should be voided. Therefore your request dated September 24, 2008, is hereby voided without prejudice to resubmission.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). The NRC's document system is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Sincerely,


James R. Mullauer, M.H.S.
Health Physicist
Materials Licensing Branch

License No. 13-24532-02
Docket No. 030-34052