UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
1600 EAST LAMAR BOULEVARD
ARLINGTON, TEXAS 76011-4511

July 10, 2012

Brookings Hospital and Brookview Manor
ATTN: Jason Merkley
President and CEO
300 22nd Avenue
Brookings, South Dakota 57006-2496

SUBJECT: LICENSE AMENDMENT

Please find enclosed Amendment No. 16 to NRC License No. 40-19823-01. **The following changes were made to the license as requested.**

A) **Removal of Charles Flohr, M.D. (35.100 and 35.200), and David A. Swanson, M.D. (35.100, 35.200, 35.300) as authorized users.**

   Please note that this license no longer lists a 10 CFR 35.300 authorized user and as a result Brookings Hospital and Brookview Manor can no longer perform diagnostic studies or therapy treatments involving 10 CFR 35.300 material, including sodium iodide iodine 131. You can send an amendment request to add 10 CFR 35.300 authorized users or request the removal of this authorization from the license (removal of conditions 6.C., 7.C., 8.C., and 9.C.).

B) **Addition of Brad Alan Paulson, M.D., as a 10 CFR 35.100 and 35.200 authorized user.**

The request to modify condition 11 to list Christopher Gregory, M.D., on the license as a backup radiation safety officer was not granted. Please note that the NRC does not list an "Alternate or Backup Radiation Safety Officer" in a license. The Radiation Safety Officer (RSO) is responsible for the overall management of the radiation safety program; identifying radiation safety problems, initiating, recommending or providing corrective actions; verifying implementation of corrective actions; ensuring compliance with the Commission's rules and regulations and conditions of the license. An RSO should actively participate in the day-to-day management of the radiation safety program. Although the performance of certain radiation safety tasks may be delegated by the RSO to other individuals (such as an alternate or backup RSO), the responsibility for the overall effectiveness of the radiation safety program and for compliance with NRC rules and regulations and conditions of the license reside with the RSO named on the license.

An environmental assessment for this licensing action is not required since this action is categorically excluded under 10 CFR 51.22(c)(14)(viii). You should review this license carefully and be sure that you understand all conditions. You can contact me at 817-200-1189 if you have any questions about this license.

The NRC's Safety Culture Policy Statement became effective in June 2011. While a policy statement and not a regulation, it sets forth the agency's expectations for individuals and organizations to establish and maintain a positive safety culture. You can access the policy statement and supporting material that may benefit your organization on NRC's safety culture Web site at http://www.nrc.gov/about-nrc/regulatory/enforcement/safety-culture.html. We strongly encourage you to review this material and adapt it to your particular needs in order to develop and maintain a positive safety culture as you engage in NRC-regulated activities.

NRC expects licensees to conduct their programs with meticulous attention to detail and a high standard of compliance. Because of the serious consequences to employees and the public that can result from failure to comply with NRC requirements, you must conduct your radiation safety program according to the conditions of your NRC license, representations made in your license application, and NRC regulations. In particular, note that you must:

1. Operate by NRC regulations 10 CFR Part 19, "Notices, Instructions and Reports to Workers: Inspection and Investigations," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.

2. Notify NRC in writing of any change in mailing address.

3. In accordance with 10 CFR 30.36(d), notify NRC, promptly, in writing within 60 days, and request termination of the license:

    a. When you decide to terminate all activities involving materials authorized under the license whether at the entire site or any separate building or outdoor area;

    b. If you decide not to acquire or possess and use authorized material; or

    c. When no principal activities under the license have been conducted for a period of 24 months.

4. Request and obtain a license amendment before you:

    a. Change Radiation Safety Officers;

    b. Order byproduct material in excess of the amount, radionuclide or form authorized on the license;

    c. Add or change the areas or address(es) of use identified in the license application or on the license; or

    d. Change the name or ownership of your organization.

5. Submit a complete renewal application or termination request at least 30 days before the expiration date on your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of radioactive material after your license expires is a violation of NRC regulations.

NRC will periodically inspect your radiation safety program. Failure to conduct your program according to NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC may result in enforcement action against you. This could include issuance of a notice of violation; imposition of a civil penalty; or an order suspending, modifying, or revoking your license as specified in the NRC Enforcement Policy. The NRC Enforcement Policy is available on the following internet address: http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html.

An electronic version of the NRC's regulations is available on the NRC Web site at www.nrc.gov. Additional information regarding medical uses of radioactive materials may be obtained on the NRC Web site at: http://www.nrc.gov/materials/miau/med-use-toolkit.html. This site also provides the updated Training and Experience NRC Form 313A series of forms and guidance, as well as information on the revised regulations for naturally-occurring and accelerator-produced radioactive materials (NARM).

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 NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at http://www.nrc.gov/reading-rm/adams.html.

Thank you for your cooperation.

Sincerely,

/RA/

Roberto J. Torres, Senior Health Physicist
Nuclear Materials Safety Branch B

Docket: 030-19289
License: 40-19823-01
Control: 577594

Enclosure: As stated