



June 13, 2023

Brooke Poole Clark, Secretary
Office of the Secretary
ATTN: Rulemaking and Adjudications Staff
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Sent via email to Rulemaking.Comments@nrc.gov

Subject: Withdrawal of Petition for Rulemaking to Permit Disposal of the C-Scan Capsule by Release into Sanitary Sewerage under 10 CFR 20.2003

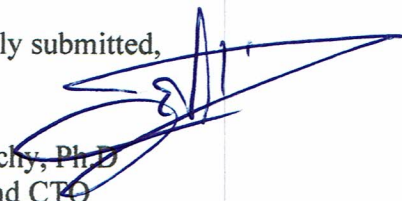
Dear Ms. Clark:

Pursuant to 10 CFR 2.802(f), "*Amendment, withdrawal,*" Check-Cap, Ltd. ("Check-Cap") requests to formally withdraw the Petition for Rulemaking that was submitted to the U.S. Nuclear Regulatory Commission ("NRC") on August 10, 2022. In the petition, Check-Cap requested that the NRC amend its regulations under 10 CFR 20.2003 to permit the disposal of Check-Cap's C-Scan capsule into the sanitary sewer system.

After careful consideration, Check-Cap has determined that it no longer seeks to pursue the rulemaking process set forth in 10 CFR 2.802 at this time. It is Check-Cap's understanding that the NRC had not yet determined whether to docket the petition.

We appreciate the NRC's cooperation and time spent on this matter. If you have any questions or require additional information, please contact our nuclear regulatory counsel Amy Roma, Hogan Lovells US LLP (202-637-6831/amy.roma@hoganlovells.com).

Respectfully submitted,



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