



Thank you for the opportunity to respond to these questions. You will find our written responses below. While TBC will be unable to attend on February 3, we would like to extend an invitation and encourage the members of the committee, as well as their colleagues and staff, to be our guests and tour the Vegas Loop. TBC would be thrilled to share our vision and the exciting things we are building here in Las Vegas.

The Boring Company places the safety of its customers, partners, employees, and the communities we serve above all else. The success of our current and future Vegas Loop projects rests on our ability to plan, construct, and operate with an unwavering commitment to safety. To achieve this, we follow a comprehensive three-phase approach to safety that spans the entire lifecycle of our projects:

1. **Engineering the safest tunnel boring machines in the world:** We design and build our Prufrock tunnel boring machines with safety as a foundational principle. A key company mission is the continued deployment and refinement of Zero-People-In-Tunnel (ZPIT) operations, where no personnel are required inside the tunnel during normal tunneling. By progressively eliminating worker exposure to underground hazards through this advanced capability, we are making our tunneling process inherently safer, faster, and more efficient than traditional methods. Please note that no other TBM company in the world has this capability, nor is it trying to develop it meaningfully.
2. **Dedicated safety professionals ensure safety-first construction:** Safety remains our top priority throughout construction. TBC maintains a dedicated team of safety professionals on staff 24/7/365. Their singular focus is not only to meet regulatory compliance but to exceed best industry practices in both surface and underground environments. This rigorous oversight helps prevent incidents and fosters a culture where safety is embedded in every decision and action.

Construction environmental health and safety highlights include:

- a. Full-time dedicated EHS team.
- b. Daily safety and toolbox before construction operations.
- c. Daily site safety, environmental, and tunnel inspections.
- d. Comprehensive workplace safety training curriculum.

- e. Mandatory internal and OSHA 10/30 training for all employees, regardless of position.
 - f. Continuous air, soil, water management, and analysis testing.
 - g. Operation of redundant industrial water treatment systems.
 - h. Weekly third-party safety inspections with the LVCVA safety team.
3. **Delivering the world's safest transportation system:** Vegas Loop upholds the same uncompromising standards in operations. To date, the system has safely transported over 3.5 million passengers with no passenger-related safety or security incidents. Equipped with world-class fire and life-safety systems, continuous monitoring, and rigorous training protocols for all staff, our goal is clear: to make Vegas Loop the world's safest transportation system.

Vegas Loop safety systems highlights include:

- a. Vehicles: Loop vehicles (Tesla Model X, Y, and Cybertruck) are NHTSA 5-star rated and have the lowest probability of injury of any vehicles tested by NHTSA
- b. DHS Gold Standard Award: Vegas Loop scored a 99.51 after being evaluated across 17 categories related to transportation safety and security
- c. Real-time gas and smoke detection
- d. Automatic wet standpipe system for fire suppression
- e. Bidirectional, redundant ventilation system
- f. Direct communications within the tunnel to the 24/7 Operations Control Center via Blue Light Stations, LTE cell service, and secured WiFi links
- g. Emergency communications system for Police and Fire Departments
- h. No third rail or touch-hazards
- i. Fully illuminated tunnel with redundant lighting systems
- j. Highest rated CISA cybersecurity score
- k. 100% monitoring coverage (no blind spots)

- l. Recurring drills and table-top exercises with the Clark County Fire Department and the Las Vegas Metro Police Department

In addition to our internal efforts listed above, Vegas Loop is subject to rigorous, multi-layered oversight from various regulatory bodies, including Clark County Building Department (CCBD), Clark County Public Works (CCPW), Clark County Planning Department (CCPD), Clark County Fire Department (CCFD), Nevada Occupational Safety and Health Administration (OSHA), Nevada Division of Environmental Protection (NDEP), Nevada Transportation Authority (NTA), Clark County Water Reclamation District (CCWRD), and Las Vegas Valley Water District (LVVWD). Each entity listed reviews TBC's plans (to various degrees) and/or conducts routine inspections of TBC's construction and/or operational sites.

In combination with local and state regulatory oversight, TBC's sites are inspected daily by third-party structural and geotechnical inspectors, continuously by TBC's internal EHS team, weekly by independent certified environmental managers (CEM), and routinely by the Las Vegas Convention and Visitors Authority's senior safety leadership. In a typical week, Vegas Loop undergoes more than 14 inspections by local, state, and third-party inspectors. Moreover, since arriving in Las Vegas, TBC has applied for and received nearly 400 permits/approvals from all regulatory agencies.

1. **Please detail all fines and penalties levied against your company and its subsidiaries related to your operations in Las Vegas.** (Response combined in 2-a & 2-b below)
2. **Please indicate all instances where The Boring Company and its subsidiaries have appealed or challenged fines and penalties levied against them for their operations in Las Vegas.**
 - a. TBC is addressing workplace safety compliance matters in its Las Vegas operations with Nevada OSHA regarding a 2023 job site inspection. The inspection is currently under review by TBC and NVOSHA, and we look forward to a swift resolution.
 - b. TBC has addressed environmental compliance matters in its Las Vegas operations through interactions with regulatory agencies, including a 2019 settlement with the Nevada Division of Environmental Protection (NDEP) related to permitting, a 2025 matter with NDEP concerning inspection protocols, and a 2025 instance with the Clark County Water Reclamation District (CCWRD) regarding

wastewater management practices. All of these matters have either come to a resolution or are currently under review.

3. Please provide a copy of the Training Plan provided to the Clark County Fire Department.

- a. Details surrounding the Training Plan provided to the Clark County Fire Department (CCFD) can be found in the Division of Industrial Relations (DIR) legal memorandum dated November 17, 2025 ("TBC – The Boring Company Citation Issues with Inspection No. 1799833"), which DIR has made publicly available on the Nevada Department of Business and Industry (B&I) website. This document references the Training Plan in its analysis of Citation 1, Item 3 (29 CFR 1910.1200(h)(1)), noting it was generated collaboratively by TBC and CCFD, approved by TBC, and outlined assumed hazards within the tunnels, PPE requirements, and precautions discussed in multiple safety meetings.
- b. **To access:** View or download the DIR memorandum from the Nevada Department of Business and Industry website at:
<https://www.business.nv.gov/siteassets/content/files/dir-legal-memo---tbc-the-boring-company-11-17-25.pdf>.

4. Please detail the Personal Protective Equipment provided by the Boring Company to employees, what, if any, PPE employees are required to offer themselves, and how the company ensures it has enough working PPE to meet the needs of its workforce.

- a. Details surrounding the Personal Protective Equipment (PPE) provided by The Boring Company (TBC) to employees can be found in the Division of Industrial Relations (DIR) legal memorandum dated November 17, 2025 ("TBC – The Boring Company Citation Issues with Inspection No. 1799833"), which DIR has made publicly available on the Nevada Department of Business and Industry (B&I) website. This document references PPE in its analysis of Citation 1, Item 1 (29 CFR 1926.95(a) for PPE provision), noting orders, discussions, requirements, and gaps during the December 2024 firefighter training drill.
- b. **To access:** View or download the DIR memorandum from the Nevada Department of Business and Industry website at:
<https://www.business.nv.gov/siteassets/content/files/dir-legal-memo---tbc-the-bo>

[ring-company-11-17-25.pdf](#).

5. Please provide documentation demonstrating that TBC implemented a forklift maintenance schedule following the May 2023 incident where the brakes failed on a Boring forklift.

- a. The Boring Company (TBC) manages its Powered Industrial Truck (PIT) program, including forklifts, in accordance with 29 CFR 1910.178 (Powered Industrial Trucks standard), as adopted by Nevada OSHA under NRS Chapter 618.

6. Please provide documentation indicating when an independent environmental manager was hired to inspect its construction sites and the findings from these inspections.

- a. The Boring Company engaged an independent environmental manager on December 2, 2021, to provide third-party Certified Environmental Manager (CEM) support for the Vegas Loop project, encompassing routine site inspections, SWPPP inspections, sampling, and permit compliance activities. The initial inspection under this arrangement was performed on January 7, 2022. Since the program's inception, 1177 inspections have been conducted, and all inspection reports have been submitted to NDEP.

7. Please provide a detailed history of The Boring Company's water treatment and disposal processes, including the conditions under which wastewater is disposed of into sewers, storm drains, or the ground.

- a. The Boring Company has both an active NDEP temporary discharge (TNS) and an NPDES permit to facilitate the discharge of encountered groundwater, provided it meets the required analyte levels listed in each permit.
- b. The Boring Company's industrial water treatment system processes encountered groundwater by first directing it from the tunnel via piping or hoses into a primary 21,000-gallon sedimentation tank for initial settlement of solids.
- c. The groundwater is then transferred by an electric submersible pump to a secondary sedimentation tank and subsequently to a tertiary sedimentation tank for further clarification.

- d. An industrial water pump draws groundwater from the final sedimentation tanks and processes it through a series of three sand-and-gravel filters to remove coarser particulates.
 - e. The outflow from the sand and gravel particulate filters is then passed through 10- and 5-micron bag filters to remove finer particulate matter. Then it passes through a hydraulic oil bag filter for finer polishing.
 - f. The outflow from the series of bag filters is then processed before final purification via two granular activated carbon (GAC) filters to adsorb any remaining chemicals or organics.
 - g. The treated water is then deposited into a series of final holding tanks for sampling and testing in accordance with approved NDEP permits, including: Temporary Discharge Permit (TNS) and NPDES permit parameters (e.g., pH, turbidity, total suspended solids).
 - h. Discharge from the final holding tanks is only conducted to approved sewers or storm drains outfalls if compliant with all metrics listed within the applicable permits.
 - i. TBC's wastewater treatment system is staffed by full-time environmental health and safety employees who inspect, operate, and oversee the treatment plant, conduct continuous water quality sampling, and deliver samples to independent third-party laboratories for analysis.
8. **Please detail the current process by which Boring informs federal, state, and local authorities of injuries at its construction sites or in the operation of the Vegas Loop, now that it is no longer subject to a county amusement and transportation system permit.**
- a. The Boring Company follows the guidance outlined in 29 CFR 1904 and submits OSHA 300 records as prescribed, reporting injuries to federal, state, and local authorities per standard Nevada OSHA requirements under NRS 618.336 and NRS 618.375, including immediate notification for serious incidents.

9. **TBC President Steve Davis was quoted as saying the wastewater illegally dumped into the sewer system and our water treatment facility was "just groundwater." Please provide evidence that there were no accelerants, chemical additives, or "muck" from the drilling operation present in the water that was discharged into the sewer.**

- a. The water that entered the sewer system during tunneling consisted almost entirely of native groundwater and naturally occurring sediment already present in the local environment. The chemicals employed in our mining process are industry-standard formulations specifically selected for their low environmental profile. The primary additive is a mild, fully biodegradable detergent (essentially a gentle soap) that breaks down quickly and poses no risk to aquatic ecosystems.

TBC goes beyond basic compliance and conducts continuous soil sampling analysis throughout tunneling operations in accordance with an NDEP-approved Soil Management Plan. This rigorous monitoring confirms that the excavated material remains free of contaminants or conditions that could potentially harm the environment.

The improper discharge of groundwater was unfortunate, and TBC takes full accountability - the root cause was a TBC error in communicating the permitted discharge location from the specific site. Upon discovery, TBC immediately ceased the non-permitted discharge to the sewer and redirected it per above; all relevant company resources were devoted to ensuring compliance.

Understanding that mistakes were made, our approach will continue to reflect a deep commitment to responsible tunneling: protecting groundwater resources and ensuring every aspect of construction aligns with the highest standards of environmental stewardship as we build the future of urban transportation.