

Congress of the United States

Washington, DC 20510

November 19, 2025

The Honorable Joseph Lombardo
State Capitol Building
101 North Carson Street
Carson City, NV 89701

Dear Governor Lombardo,

I am writing to express my concern about The Boring Company (“Boring”), who, through the dumping of hazardous materials, among other actions, has endangered not only my constituents in Nevada’s First Congressional District, but also our environment. I urge you to hold the company accountable for putting workers, first responders, and the community at increased risk.

I am alarmed by public reporting alleging that your Administration helped Boring evade fines related to the dumping of toxic chemicals in tunnels and putting the safety of firefighters at risk.¹ Our firefighters already risk their lives each and every day to help our community during times of crisis; it is unacceptable for them to face preventable safety hazards.

In February 2024, *Fortune Magazine* reported that between 15 and 20 Boring employees allegedly suffered burns from accelerant chemicals in tunnels.² One chemical used in the tunnels, MasterRoc AGA 41S, was reportedly mixed with groundwater and dirt and pooled at the base of tunnels, creating a hazard for workers. According to *Fortune Magazine*, Boring officials were slated to brief Clark County firefighters about the muck fluid before they were doing safety drills in the tunnels in December 2024.³

On December 10, 2024, two firefighters suffered chemical burns after muck filled their boots during the drill. Firefighters reported not knowing about the safety risk posed by the muck, stating that the Boring Company told firefighters they could “just wash it off after” and that “they’d be fine.”⁴

On May 28, 2025, the Nevada Occupational Safety and Health Administration (“Nevada OSHA”) issued three “willful” citations against Boring. The basis for these citations appears to have been because investigators found that Boring had committed an “intentional and knowing”

¹ Two firefighters suffered chemical burns in a Boring Co. tunnel. Then the Nevada Governor’s office got involved, and the penalties disappeared, *Fortune Magazine* (November 12, 2025) <https://fortune.com/2025/11/12/elon-musk-boring-company-tunnels-injuries-osh-citations-fines-rescinded-nevada-governor-office-documents-altered/>

² We have consistently flirted with death’: Elon Musk wanted the Boring Co. to build a tunnel system below Las Vegas. Former employees say they feared for their lives while working there, *Fortune Magazine* (February 27, 2025) <https://fortune.com/2024/02/27/flirted-death-elon-musk-boring-company-employees-injuries-osh-citations/>

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⁴ IBID

violation or knew that a hazardous condition existed and made no “reasonable effort” to eliminate it. Nevada OSHA also proposed penalties of \$425,595 for those three citations.⁵

The safety citations and associated fines were soon rescinded, however. According to *Fortune Magazine*, someone from “above” Nevada OSHA made the decision to rescind the fine.⁶ On May 29, 2025, Boring executives met with several high-level officials from your Administration, including your State Infrastructure Director Chris Reilly. Your team allegedly began that meeting by telling the Boring employees that Nevada OSHA would be rescinding the fine.

According to Victoria Carreón, the Administrator of the Division of Industrial Relations who participated in the meeting, the concerns Boring raised to your office prompted Nevada OSHA’s legal counsel to review the citations ahead of the meeting.⁷ This was all done outside of the official process that allows entities to challenge citations made by Nevada OSHA in a manner that safeguards transparency and accountability.

How your staff appears to have handled The Boring Company investigation and the resulting fine raises larger questions about whether Southern Nevadans can trust that their health and safety are being protected. According to a Nevada OSHA official, the series of events have had a chilling effect within State OSHA. One current Nevada OSHA employee has reportedly said that OSHA staffers investigating Boring safety concerns are worried that they will be “disciplined for doing their job.”⁸

This project in Southern Nevada has been riddled with safety and environmental concerns since the start. In an email to *Fortune Magazine* in May 2023, a Boring Company employee reportedly stated, “I feel that the company as a whole has been very fortunate these past few months that there hasn’t been a fatality.” It has also been reported that a different Boring employee, who worked at the company’s research and development facility in Bastrop said, “Safety was not a priority. Getting the tunnel done was Steve’s only goal – no matter the cost.” Over the course of six months alone in 2023, Boring reported 36 injuries across its job sites to OSHA.⁹ On September 10, 2025, an employee working on the tunnel along Paradise Road sustained a “crushing injury.”¹⁰

The push from Boring executives to build the tunnel quickly without consideration for worker and public safety is clear. Public records indicate that Boring has a history of continuing to put its workers and surrounding communities at risk, even after facing adverse actions from regulators. For example, after a hearing on September 30, 2025, the Clark County Water Reclamation District levied a \$493,297 fine against Boring for dumping “drilling fluids” into the

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⁹ ‘We have consistently flirted with death’: Elon Musk wanted the Boring Co. to build a tunnel system below Las Vegas. Former employees say they feared for their lives while working there, *Fortune Magazine* (February 27, 2025) <https://fortune.com/2024/02/27/flirted-death-elon-musk-boring-company-employees-injuries-osh-citations/>

¹⁰ Tunneling halted at Boring Company job site in Las Vegas after ‘crushing injury’ of worker reported, *Fortune Magazine* (September 11, 2025), <https://fortune.com/2025/09/11/boring-company-job-site-injury-reported-safety/>

sewer system. According to *Fortune*, on-site workers continued to carry out illegal dumping even after inspectors told them to stop.¹¹

Health and safety regulators must be able to conduct their work independently and without the threat of interference. On behalf of my constituents, I am demanding transparency about how and why Boring went unsanctioned given Nevada OSHA's findings with respect to the dumping of toxic chemicals into the tunnel, which put workers, firefighters, and nearby residents in harm's way. Accordingly, I respectfully ask that you answer the questions below and release the following documents by December 12, 2025:

1. Will your office cooperate with a public hearing should one be called by the Board of Clark County Commissioners?
2. What procedures did Nevada OSHA follow in its public safety investigation that led to your Administration levying a \$425,595 fine on Boring on May 28, 2025? Which officials signed off on the citations and associated fines before they were levied?
3. Why were the three citations issued on May 28, 2025, never mentioned in the OSHA case file for the public record?
4. Are the reports that someone on your team went against protocol to delete documentation of a meeting between your staff and Steve Davis from Boring on May 29, 2025, accurate? If so, why was the record of this meeting deleted from the case diary?
5. Reports suggest that someone "above" Nevada OSHA made the decision to rescind the fine. Who made the decision to rescind the willful citations and fines levied against Boring on May 28, 2025? What, if any, additional information did your team receive after initially levying the penalty that led to the fine being rescinded?
6. Please release the final justification document and/or all draft justification documents behind the decision by your Administration to rescind the fine against Boring, including any documents that have been deleted from public records.
7. Will you commit to making the monthly "update" meetings between the Chief Administrative officer (CAO) of Nevada OSHA and Boring public? At a minimum, will you commit to sharing detailed notes about what was discussed during each meeting between OSHA and Boring?
8. What other safety concerns about Boring's Nevada project have you and your staff been made aware of? Has your team investigated any other safety concerns involving Boring and, if so, what was the outcome of each investigation?

¹¹ *Elon Musk's Boring Company fined nearly \$500K after it dumped drilling fluids into Las Vegas manholes—then 'feigned compliance' and was caught doing it again*, *Fortune Magazine* (November 8, 2025), <https://fortune.com/2025/11/08/boring-company-drilling-fluid-fine-wastewater-elon-musk/>

9. What actions have you and your staff taken to ensure that all safety concerns with The Boring Loop project are addressed appropriately in the future? Should a staff member in the Nevada OSHA office have concerns with how an investigation is being handled, what procedures are in place to protect against retaliation should they voice these concerns?

Thank you for your attention to this important matter. I look forward to receiving your responses to these questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Dina Titus", with a stylized, cursive script.

Dina Titus
Member of Congress

Cc:

Steve Davis, President, The Boring Company
Sean Sims, Head of Loop Safety & Security, The Boring Company