

**Congress of the United States**  
**Washington, DC 20515**

July 5, 2023

Baoguo Huang  
Managing Director  
Seqens North America  
9 Opportunity Way  
Newburyport, MA 01950

Dear Mr. Huang,

On May 4, 2023, in the wake of the devastating explosion at the Seqens pharmaceutical manufacturing facility in Newburyport which killed one worker and sent four others to the hospital, we wrote to you with several questions regarding the explosion and the facility's history of serious and repeated safety violations. We appreciate the May 11, 2023 response to our letter signed by the Site Director, but as we continue to learn more about the history of safety violations and chemical disasters at your facilities, we are increasingly concerned about your company's ability to provide your employees with a safe workplace. We also are concerned about the sufficiency of your company's response to the employees and families impacted by the Newburyport tragedy.

It is especially concerning that the May 4 explosion at your Newburyport facility was not an isolated incident. Seqens—also identified in documents as PCI Synthesis and Polycarbon Industries Inc.—has a record of safety violations and chemical accidents not only at its Newburyport facility, but at another Massachusetts facility located in the city of Leominster. Two explosions occurred at a Polycarbon Industries facility in Leominster within eight years of each other, the first on October 21, 1997 and the second on March 22, 2005.<sup>1</sup>

In 1997, a chemical dryer caused an explosion that blew the roof off the building in which it was housed, resulting in an employee suffering serious burns and disfigurement.<sup>2</sup> A 2005 explosion blew the roof off the building and caved in a wall,<sup>3</sup> ultimately leading to the Leominster facility's closure. While Polycarbon Industries' founder and then-CEO and president Ed Price viewed the 2005 incident as a “watershed moment” that the company was able to “parlay” into the acquisition of the Newburyport site,<sup>4</sup> Leominster residents were left to “worr[y] about possible toxic contamination” from the explosion.<sup>5</sup>

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<sup>1</sup> Anna L. Griffin, *Leominster plans oversight rules for chemicals*, Worcester Telegram & Gazette (Feb. 2, 2007), <https://www.telegram.com/story/news/local/north/2007/02/02/leominster-plans-oversight-rules-for/52975831007/>.

<sup>2</sup> Hillary Chabot et al., *Blast rips through building*, Sentinel & Enterprise (Mar. 23, 2005), <https://www.sentinelandenterprise.com/2005/03/23/blast-rips-through-building/>.

<sup>3</sup> Anna Parachkevova, *'Violent chemical event' led to blast*, Sentinel and Enterprise (Mar. 29, 2005), <https://www.sentinelandenterprise.com/2005/03/29/violent-chemical-event-led-to-blast/>.

<sup>4</sup> Louis Garguilo, *This CDMO Deal Significant Sign of the Times*, Outsourced Pharma (July 12, 2018), <https://www.outsourcedpharma.com/doc/this-cdmo-deal-significant-sign-of-the-times-0001>.

<sup>5</sup> Anna Parachkevova, *'Violent chemical event' led to blast*, Sentinel and Enterprise (Mar. 29, 2005), <https://www.sentinelandenterprise.com/2005/03/29/violent-chemical-event-led-to-blast/>.

In addition to these incidents, the Newburyport facility has a long record of safety violations, including chemical fires and explosions in 2020 and 2021, and violations of the Occupational Safety and Health Act (OSHA)—violations that were the subject of several questions in our May 4 letter. Your responses to these questions have raised further concerns, as you say that part of OSHA’s 2019 citation of PCI Synthesis involved violations related to failure to “[conduct] a process hazard analysis” on your company’s Dekon manufacturing process, and “the vessel involved in the [May 4, 2023] explosion contained Dekon.”

Today, we are left with more questions than answers and remain deeply concerned about your company’s ability to operate safely in the Commonwealth. Newburyport residents have voiced frustrations with your company’s response to the May 4 explosion, including uncertainty about the adequacy of employment accommodations made for the surviving workers.

In order to help us more fully understand your company’s past safety issues, the causes of the May 4 disaster, and your response to that disaster, please provide written answers to the following questions by July 12, 2023:

1. Please provide any update on the investigation into the cause of the May 4 explosion and the operational status of the Newburyport facility.
2. Please describe the history of the corporate ownership and structure of the Leominster and Newburyport facilities from their inception to date. In your response, please:
  - a. identify and explain the ownership interest of the multiple corporate entities whose names are associated with those facilities, including PCI Synthesis, Polycarbon Industries, Inc., Borregaard Synthesis, Inc., Poly-Organix, Inc., Novacap, Seqens, and any others;
  - b. identify and explain the sale or other transactions through which ownership interests and structure changed, including the sales prices;
  - c. identify the corporate entity or entities responsible for the safe operation of the Leominster and Newburyport facilities from their inception to date, including at the time of the 1997, 2005, 2020, 2021, and 2023 fires and explosions, and at the time any of those entities were cited for OSHA or other safety violations;
  - d. state whether, and to what extent, each corporate entity that acquired the Leominster and Newburyport facilities was aware of any fires, explosions, OSHA violations, or other safety issues at the facilities when that corporate entity acquired the facility; and
  - e. explain why the May 11 response to our May 4 letter, which was addressed to you, as Managing Director of Seqens North America, was signed by the Site Director of Polycarbon Industries, Inc. and was on its letterhead.
3. Please identify all previous Site Directors or other individuals responsible for overall process safety and worker safety at the Leominster and Newburyport locations, their dates of employment, the reason they left the company’s employ, and current contact information if known to you.

4. Please describe and explain the Dekon manufacturing process referenced in your May 11 letter, including the product hazard analysis conducted on it that OSHA cited among other safety violations in June 2019.
  - a. Was the Dekon manufacturing process involved in the May 4 explosion. If so, how?
  - b. What explosive hazards exist in the Dekon manufacturing process?
  - c. Please describe the remediation measures taken in response to the 2019 OSHA citations involving the Dekon manufacturing process, including their cost. Were those remediation measures—or their failure—a cause of the May 4 explosion?
5. Please describe the work being done at the Seqens R&D Center located in Devens, Massachusetts.
  - a. Does the Devens facility interact with the Newburyport facility? If so, how?
  - b. Are any of the affected workers from the May 4 Newburyport explosion currently working at the Devens facility?
  - c. Are the two facilities overseen by the same management?
  - d. Does the Devens plant utilize the Dekon manufacturing process? If so, please describe the scope of its use at the Devens facility, and how the process at Devens compares to the process at the Newburyport facility.
6. Does Seqens have any plans to open another chemical manufacturing facility in Massachusetts? If so, where and when?
7. During a call with our offices, your company representative advised that the Newburyport facility operated three shifts, with the explosion occurring during the third shift, which runs from 10:00 p.m. to 6:00 a.m. The representative explained that when the explosion occurred, three operators and two monitors were on duty.
  - a. How long is each of the three shifts?
  - b. Did the facility typically operate 24 hours a day?
  - c. How many days each week did it operate?
  - d. Please confirm the number of employees at the Newburyport facility. How were they scheduled across the three shifts each day? How many hours per day and hours per week did the employees typically work? How many hours had each of the five employees on duty during the explosion worked during the week leading up to it?
8. Have you been in contact with businesses and public and private property owners around the Newburyport facility to confirm that no properties sustained damage or negative impacts from the May 4 explosion? If damage to other properties or city facilities is found, do you commit to funding all necessary remediation?

9. It is our understanding that the Massachusetts Department of Environmental Protection is monitoring adjacent soil, water, and air samples for contamination. Should contamination be found, do you commit to funding all necessary remediation and cleanup?
10. Have you been in contact with the family of Jack O’Keefe, the employee killed by the May 4 explosion?
11. Have you been in contact with the four employees sent to the hospital after the May 4 explosion?
  - a. Have you asked any of these employees to return to work at the Newburyport facility?
    - i. If so, what measures did you take to ensure the site was physically safe for their return to work?
    - ii. If so, what measures did you take to ensure the mental health and wellness of the employees returning to the site of a traumatic incident?
  - b. Have you continued to pay employees unable to work at the facility since the May 4 explosion or provided them with employment elsewhere? If not, have you helped them access unemployment benefits?
  - c. Have you continued to provide medical coverage and other benefits to the affected employees? If not, have you helped them access unemployment benefits?
12. On June 5, 2023, the U.S. Environmental Protection Agency Region 1 office issued Polycarbon Industries, Inc. a Notice of Violation regarding “hazards associated with hazardous chemicals stored in the warehouse area”<sup>6</sup> of your facility at 9 Opportunity Way. The Notice outlined the warehouse’s “failure to design and maintain a safe facility” and highlighted multiple violations that have the potential to lead to chemical fires or explosions.<sup>7</sup>
  - a. Prior to June 5, 2023, were you aware of the explosive chemical hazards outlined in paragraphs 38-40 of the Notice?
    - i. After the February 2020 explosions, which were caused by chemical reactions, what did Polycarbon Industries, Inc. do to remediate any safety hazards related to the explosions?
    - ii. Why were any remediation measures taken after the February 2020 explosions insufficient to prevent the findings outlined in paragraphs 38-40 of the Notice?
  - b. Prior to June 5, 2023, were you aware of the chemical fire hazards outlined in paragraphs 38-39 of the Notice?
    - i. After the June 2021 fire involving toluene, what did Polycarbon Industries, Inc. do to remediate any safety hazards related to the fire?
    - ii. Why were these remediation measures insufficient to prevent the findings outlined in paragraphs 38-39 of the Notice?

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<sup>6</sup> *In the Matter of PolyCarbon Industries, Inc.*, Notice of Violation and Administrative Order on Consent, U.S. Env’tl Protection Agency, ¶ 1 (June 5, 2023).

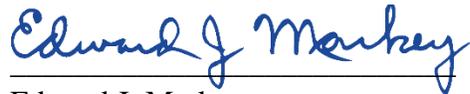
<sup>7</sup> *Id.* ¶¶ 34-43.

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With your company's lax—even deadly—safety record across facilities, we must understand why the May 4 explosion happened and how to prevent another from occurring.

We thank you in advance for your responses to these questions, as we seek to protect Massachusetts workers and communities affected by this disaster and provide accountability.

Sincerely,



Edward J. Markey  
United States Senator



Elizabeth Warren  
United States Senator



Seth Moulton  
Member of Congress

CC:

Senator Bruce Tarr, *First Essex and Middlesex District*

State Representative Dawne Shand, *First Essex District*

Mayor Sean Reardon, *City of Newburyport*