

18 Major Calvert
Austerville, Durban 4052
Tel: +27 31-461-1991
Fax: +27 31-468-1257
www.sdcea.co.za
Registration No: 028-964-NPO

South Durban
Community
Environmental
Alliance



8 September 2021

Dear Karthi

SDCEA has read your letter of 2 September 2021. In response we want to put on record our concerns once again which we have throughout the engagement since December 2020, and additional reflections.

We welcomed your appointment as the Independent Facilitator. We hoped that with Team Dynamix in the room, Engen would be more open and transparent with their fenceline neighbours, in whose community they operate, as committed to by the Engen General Manager, Mr Sykra. Sadly, Team Dynamix's involvement has not resolved the long-standing grievances that we as a community in south Durban have had with Engen, which primarily revolves around Engen's inability to treat the community in which they operate with respect, openness, and honesty. We had hoped that with Team Dynamix on board this would change, especially now that the plant has stopped operating and we have to discuss the future of Engen and the contaminated site. The community has over the years become dependent on Engen for employment, but also the community has suffered Engen's pollution, explosions and the ill health of residents and workers that comes from living next to an oil refinery and working in one.

Since your appointment in January 2021, we hoped that you would ensure that Engen management would provide written responses to our letters regarding the incident of 4 December 2020 and treat us as equal partners in building a future.

We have written numerous letters to Engen Management and copied in Team Dynamix. This includes correspondence after the visit of the National and Provincial government representatives, which we thought brought an urgency to the issues. As our President Mandela had done in March 1995. We were wrong. We expected that through the facilitation of Team Dynamix the Engen management, as per their utterances to openness and transparency would provide written responses as a minimum effort to the letters, we addressed to them and also provide all information and reports of the incident.

Since the formation of SDCEA we have repeatedly requested information of the incidents, accidents and gassing out that has occurred as a result of Engen's operations and this has not been forthcoming.

The Right to Know | The Duty to Inquire | The Obligation to Act

SDCEA Members

Earthlife Africa- Durban
Clairwood Ratepayers Association
Umkomaas Anti-Pollution Watchdogs
Isipingo Environmental Committee
Athlone Park Residence Association
Airport Farmers Association
KZN Subsistence Fishermen Forum
Poor Flat Dwellers Association

SDCEA MEMBERS

Blowatch
Clairwood Social Forum
Project Steering Committee
Active Citizens Movement Umbilo
City of Love Ministeries
Merebank Civic Committee
Urban Futures Centre DUT
Chatsworth Civics

SDCEA Members

Silverglen Civic Association
Wentworth Development Forum
Treasure Beach Environmental Forum
Christ the King Church
Ubunye Bama Hostela
Bluff Ridge Conservancy
Merebank Ratepayers Association

No reports of the December 2020 incident, despite all promises and commitments made, has been forthcoming from the Engen management, which we expected Team Dynamix to facilitate.

The Refinery CEO issued a blanket statement that the refinery will close and that the company intends to convert the facility into a fuel depot. Again, no support information, documents or reports that informed this decision was provided through Team Dynamix by Engen management.

The Directive issued by the KZN Provincial Department of Economic Development, Tourism and Environmental Affairs (EDTEA) indicated that the ICSEF was to facilitate the constructive resolution of disputes between Engen and surrounding communities.

The SDCEA together with local organisations and community people organised and protested outside Engen after the explosion in December and developed a memorandum which was handed over to the ENGEN General Manager Mr Sykry Hassan. The result of this escalation of concerns of local people the National Portfolio Committee on Fisheries, Forestry and Environment visited Engen. You were present to hear the concerns of the affected people and the members of parliament. Since then we kept Parliament informed of the ongoing issues.

We believe that Team Dynamix and Engen's approach to the EDTEA to allow for your withdrawal from the process is premature as the directive and the commitments that stem from that, have not been fulfilled.

Way forward

The directive must not be withdrawn.

All documents informing Engen's program to move to developing a storage facility must be immediately forwarded to all interested and affected parties, not later than seven days after receipt of letter.

All regulatory requirements for the decommissioning the refinery, and associated infrastructure must be forwarded to SDCEA, not later than seven days after receipt of letter.

All statutory reports from all relevant local, provincial, and national government departments in relation to the incident of 4th December 2020 must be sent to SDCEA, no later than seven days after receipt of this correspondence.

Seven days, for this correspondence will include weekends or public holidays.

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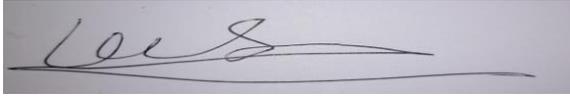
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Yours Sincerely
Desmond D'Sa



Email: desmond@sdceango.co.za

Cell: 083 982 6939

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