

MINUTES | ENGEN AND COMMUNITY STAKEHOLDER ENGAGEMENT: MEETING 3

Date: Thursday, 22nd April 2021 | **Time:** 15h00 to 18h15

Venue: Bluff Eco Park, 55 Grays Inn Road, Bluff

<p>PRESENT: Engen: Nikisha Sirkar, Benny Thobejane, Bradley Scheepers, Khalid Latiff, Tina Griffiths, Sykry Hassim, Stephen Williams, Ronald Chauke, Bongwiwe Mkhwanazi, Lenny Naidoo, James Nyawera</p> <p>Community: David Usher, Anwar Khan, Zane Scullard, Tracey Williams, Desmond D'sa, Councillor Zoe Solomon, Councillor Aubrey Snyman, Bongani Mthembu, John J Stuart, Allan Moolman, Vusani Zweni, Muzi Ntuli, Melanie Israel, Michael Koster, Daya Naidoo, Quincy Fynn, Frank Alexander</p> <p>eThekweni Fire Department: Sandile Dladla, Sipiwe Zuma, Brenda Ndlovu, Wilfred Mkhwanazi, Malcolm CanHam</p> <p>Team Dynamix: Karthi Govender, Nigel Adams</p>	<p>APOLOGIES: Unathi Njokweni-Magida, Rishi Ganas, Ashwin Desai, Bobby Peek, Yusuf Vawda</p>
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ITEM	DISCUSSION	ACTION
Welcome/ check in	Meeting began with pleasantries and a check-in was conducted between the members.	
Purpose of the Meeting	<ul style="list-style-type: none"> Revisit issues requiring attention and response from relevant stakeholders based on the previous engagement held on 8th April 2021. Unpack and understand the Disaster Management Plan. 	
Adoption of Minutes	<ul style="list-style-type: none"> The ICSEF requested participants to suggest any amendments to the draft minutes. None was suggested. Councillor Zoe Solomon moved for adoption of minutes, and David Usher seconded this motion. 	
Adoption of Agenda	<ul style="list-style-type: none"> The following was the proposed agenda which was adopted at the engagement: 	

	<ul style="list-style-type: none"> ○ Welcome and check-in ○ Attendance register ○ Opening and re-cap of previous meeting ○ Matters arising ○ Future of the Refinery ○ Commissions for co-creation discussion ○ Disaster Management Plan ○ AOB ○ Way Forward ○ Closure 	
<p>Opening discussion</p>	<ul style="list-style-type: none"> ● The ICSEF discussed the purpose of the engagement and a brief re-cap of the previous engagement was provided. 	
<p>Matters Arising:</p> <p>Information sharing:</p>	<ul style="list-style-type: none"> ● An Engen representative indicated that Engen has taken into consideration all the information requested from Bobby Peek's PowerPoint presentation from the previous engagement. ● All the requests for information has been catalogued and Engen is conducting risk assessments to ascertain what information could be provided. ● Engen management requires a reason for the request for information, as there are many factors that need to be considered before decisions can be reached on what can be provided to community representatives. ● In the interim, a letter has been drafted that will be sent to Bobby Peek, providing a response as to what information can and cannot be provided and if any information has been redacted, provide reasons for such redaction. ● Engen indicated that there were two (2) levels of response being provided – the first level is a response in the form of a letter and the second level is providing the information requested. ● A community representative highlighted that Engen is legally bound by the Directive issued by the Department of Economic Development, 	

	<p>Tourism and Environmental Affairs to provide the reports and the information requested.</p> <ul style="list-style-type: none"> • A senior level representative from Engen indicated that regarding the information submitted to the Department as per the Directive, it contains confidential information that could adversely affect Engen as an entity if shared to the general public. • The ICSEF interjected and stated that at the previous engagement, it was agreed that a select group of community representatives could meet in a closed and confidential meeting, regarding those documents that could not be shared. • A community representative indicated that if Engen is operating within the guidelines and mandate provided by the Department, there should not be a concern regarding non-compliance and litigation. • A letter was issued on 7th April 2021 by Engen, in response to the concern regarding lack of communication and information being provided. This letter outlined all actions taken by Engen to concerns raised by the community. • The request for the Block 10 Forensic fire report cannot be provided without Engen obtaining permission from the Block 10 residents and the insurance company. The Block 10 residents have granted permission, and once permission is obtained from the insurance company, the report will be provided. 	Engen
<p>The concern regarding Block 10 claims and all other claims</p>	<ul style="list-style-type: none"> • Block 10 residents have signed the settlement agreements. However, to date, they have not been settled and they are still living in the temporary apartments. It was stated that Block 10 declined the suggestion to involve the mandated community representatives in discussions, as they did not want their personal information to be shared. • It was stated that Engen publicly announced that they are not responsible for the Block 10 fire. • The community indicated that they are in possession of physical evidence. However, they are awaiting feedback from the laboratory regarding the blast radius projectile. 	

	<ul style="list-style-type: none"> • Engen senior level representatives requested that the community provide Engen with the evidence, as it could help to legitimise the claim, so that it can be settled. • An Engen representative indicated that the claims are categorised into two (2) categories, namely, accepted and rejected insurance claims. Based on Forensic fire report, Block 10 is not claimable, which has been stated at previous engagements. All other claims that can be settled are done so once release documents are signed. • A grant was offered to the Block 10 residents; however, this offer has been rejected. Engen management is reviewing a possible way forward. • It was stated that if an agreement could not be reached, Block 10 matter can be resolved in the legal route. If the court finds Engen to be responsible, they will settle as per the court's decision. 	The mandated community representatives
Future of the Refinery	<ul style="list-style-type: none"> • Mr Sykry Hassim presented a PowerPoint presentation outlining the future of the Refinery. • The presentation highlighted the factors that were taken into consideration when determining the future of the Refinery. • The external market forces such as mega-size refineries and small non-competitive refineries has impacted on Engen's current structure which is not viable. • External assessments conducted confirmed that going forward Engen's losses will be unsustainable. • Based on all these factors, the most sustainable long-term option is to convert the Refinery into a terminal and to repurpose the rest of the Refinery. The commission date for such is Quarter 3 of 2023. • After the explosion in December 2020, it was decided that the Refinery would be shutdown. However, it was of paramount importance to ensure that the nation is not affected as a result if such a decision. • Engen supports the decision taken by the Board and is committed to preserve all jobs by means of re-tooling, re-skilling, and re-deploying of employees. 	

	<ul style="list-style-type: none"> • Co-creation will form part of the repurpose aspect to develop new business opportunities, to maintain socio-economic activity within the South Durban Basin Community. • The PowerPoint presentation also highlighted all the projects undertaken by Engen thus far. • Engen confirmed that they have 671 permanent employees, with approximately 120 from the fence-line community. • A community representative indicated that aspects such as supply and development and enterprise development could lead to improvements in the community. 	
<p>Disaster Management Plan</p>	<ul style="list-style-type: none"> • The representatives from eThekweni Fire Department was in attendance with a presentation providing information and progress on the Off-Site Plan. • As per legislation, the city is required to have a level two (2) Disaster Management Plan. The purpose of this plan is to review and outline how the city responds to any major incident that falls within its jurisdiction. • Every installation that has Off-Site implications that have the capacity to endanger outside its boundaries, has to declare such information to the local authority. In doing so, this process entails that a comprehensive On-Site Emergency Plan is available. This ensures that there are mitigation measures in place to lessen the impact Off-Site. • If declared as Major Hazard Installation (MHI), the status is forwarded for Off-Site Planning, which is undertaken by local authorities. It was stated that the Off-Site and On-Site work in conjunction to each other. • The South Durban Basin Community is considered the highest risk area in eThekweni; therefore, the city has reviewed the current level two (2) plan. • A generic Off-Site Disaster Management Plan is being drafted, which outlines emergency responses specific to the SDBC in the event of any incident. The city is currently in the process of developing 201 specific Off-Site Plans throughout the eThekweni area. 	



	<ul style="list-style-type: none"> The Off-Site Plan specific to Engen is being drafted and documented for the SDBC. The development process includes viewing sites to serve as reception centres and community consultation. In order to have these reception centres, there needs to be an agreement between all concerned parties before Government can endorse the site. The community consultation is scheduled to take place in June or July 2021. The community appreciated the presentation, however queried if the Off-Site Plan specific to Engen was still required, as the future of the Refinery has been decided. It was indicated that this issue is bigger than Engen. It was stated that the plan existed before the incident. However, in the interim, a draft is available whilst the specific plan is being drafted and finalised. 	eThekwini Fire Department
Closing Remarks	<ul style="list-style-type: none"> Engen to provide information on CSI investments that is contributed towards the SDBC. eThekwini Fire Department indicated that documents will be provided to community representatives for review ahead of the meeting, to ensure inclusivity at the meeting. The office of the ICSEF to revert with dates for the next engagement. It was stated that the time allocated will be longer to ensure that all aspects are covered. 	Engen eThekwini Fire Department The ICSEF
Meeting ended	Karhi Govender thanked everyone for their inputs and closed the meeting at 18h15.	

This serves as a true reflection of the meeting, signed by the Chairperson:

Date: _____