

10 November 2021

Dear Mr D'Sa

I trust that you are well.

Your letter dated 8 September 2021 refers.

Engen respectfully disagrees with SDCEA's assertion that it has not provided feedback or accurate information as suggested in your correspondence. Engen has in fact provided responses and information at varying intervals to the delegation of 13 leaders/representatives appointed by the community.

These responses have included, and were not limited, to the following:

- 14 December 2020 – SDCEA's request for meetings and the appointment of an independent facilitator was fulfilled by the hosting of requested meetings and the appointment of an independent facilitator.
- 16 December 2020 – Engen provided a detailed response to the Memorandum handed to Engen on 11 December 2020 by SDCEA and delegated organisations.
- 7 April 2021- A consolidation of all correspondence and feedback related to Engen's responses to community enquiries was provided to SDCEA as requested.
- 20 April 2021- Engen provided a response to SDCEA's request for a forensic report, highlighting the ownership and legislative constraints associated with this request.
- 3 May 2021- Engen provided a response to a presentation conducted at a meeting on 8 April 2021, including a request for information and actions required to progress this request.

With regards to the 'withdrawal of the directive', Engen kindly requests that you please note that the discretion related to the actions associated with the directive rests with the EDTEA.

Regulatory requirements for all decommissioning activities are enshrined in the relevant Environmental Impact Assessment Regulations. The Engen refinery is not yet at the stage of decommissioning and has therefore not applied for such to any government departments. It is therefore premature to send you all regulatory requirements at this stage.

Engen remains firmly committed to respectful and constructive engagement with the South Durban community and associated representative organisations. It is however incumbent upon us to highlight that requests for information must follow the Promotion of Access to Information Act (PAIA) applications process. Engen reserves its full legal right to safeguard its proprietary information. A humble appeal is therefore made to SDCEA that this can be respected for our mutual benefit.

Yours sincerely



**Sykry Hassim**

General Manager: Refinery