

## Public inquiry response

**Organization:** Business & Human Rights Resource Center

**Date:** September 22, 2022

### Response:

The recent blog by Concerned Citizens of Mossville, University of Utah Environmental Justice Clinic, and Tulane Environmental Law Clinic lacks important facts about Sasol's history of engagement with Mossville.

First and foremost, **respect for all people is a core value of Sasol**. Through conversations with local officials, community leaders and our near neighbors, we have a proven track record of listening to community needs and collaborating to develop specific programs to address them.

Our Community Advisory Panel, which includes Mossville residents, is a critical component of that ongoing effort. From workforce development initiatives to scholarship programs and education partnerships to environmental preservation programs and the historical preservation project for Mossville, Sasol has invested millions of dollars into our community in initiatives identified by Mossville and Westlake residents. We value the partnerships we have created and look forward to further collaboration as we continue to give back to the community where we operate.

Unfortunately, there are those who work tirelessly to miscast Sasol's actions in Mossville, LA to be the precise opposite of what they were—Sasol listening and responding to community concerns and acting on their neighbors' requests.

For every Mossville resident who was unhappy with the results of Sasol's Voluntary Property Purchase Program (VPPP), there are many more who were pleased with the program's results and the opportunities it gave them. After all, the VPPP saw an 85% participation rate, with more than 580 properties ultimately participating. Unfortunately, their stories are rarely, if ever, sought out, much less told. Here are just a few (video footage of these direct quotes available upon request):

*"Being voluntary, we understood that if some of our neighbors moved, or however each family decided, it would bless you in a different way." "The first thing Sasol did was set up an office right in our community at our old school. That gave all the residents in the community to be close to the office." "We are very pleased with the process and we feel like it's just been a blessing for us. And that's why we can sit here three generations all together."*

- Jackie Green, with her mother and daughter

*"I grew up in Mossville, Louisiana. I think it has been received very well. People that I thought wouldn't move, they moved. The feedback I've heard from people is that it was very satisfying, rewarding. Some of them just couldn't afford to rebuild or move, so I think it came just in time because the community was not the same as it was back in the 60s and 70s." "If you didn't receive it you just didn't have a good understanding of what they were trying to accomplish, but I think it went very well"*

- Kim Kay McKee, grew up in Mossville

*"I was born here in this community to the late Edward and Ida May Lamelle. I'm very optimistic about things because I've seen what the future could bring. Once we got to know what Sasol was doing, it was no longer bittersweet for me because I was in a position now to better myself for myself, my wife and our family. We prayed daily about the situation and I talked with my pastor. He told me if God told you to do it, and I started packing my bags."*

- Edward "Butch" Lamelle Jr., born in Mossville

As the Concerned Citizens of Mossville, University of Utah Environmental Justice Clinic and Tulane Environmental Law Clinic blog story indicates, industrialization began in the area of Calcasieu Parish near Mossville in the 1940s. Sasol purchased its existing facility from CONDEA Vista in 2001. For many years, Mossville residents had asked nearby industry to purchase their property so they could move. And for many years, they were largely ignored. That changed when Sasol agreed to spend over \$75 million to buy property, we neither needed nor wanted – at prices significantly above market value – simply because our neighbors asked us to.

While Sasol and other industrial facilities are near Mossville, Sasol is in fact immediately adjacent to Westlake, LA, which is a thriving community of about 5,000 where many industry employees and their families reside (another fact that media and activists almost always choose not to mention). This is a testament to the fact that Sasol and other industry in the area implement numerous measures to minimize impacts outside the fence line and keep the community safe. The employees of these facilities, who have direct knowledge of safety and operations procedures, choose to live near the facilities (and in many cases closer than Mossville homes) and have confidence in industry's operational excellence and commitment to safety.'

Sasol is always open to dialogue with our community or those who have questions or concerns about our operations. Sasol was not contacted by Concerned Citizens of Mossville, University of Utah Environmental Justice Clinic, or the Tulane Environmental Law Clinic about the concerns identified in their article. A conversation prior to publication would have been a great opportunity to discuss and clarify some of the confusion regarding the Voluntary Property Purchase Program, the distinction between that program and our project property acquisition, and our collaborative engagement with Mossville residents.

Some statements made in the blog deserve attention and correction:

**Accusation:** "Many Mossville residents experience the buyout as forced displacement and suffered trauma from their dislocation."

**Fact: The Voluntary Property Purchase Program was developed and implemented at the community's request, with community support and involvement.** Leading up to the launch of the Voluntary Property Purchase Program, Sasol hosted community meetings in Mossville one to three times per month, depending upon community requests, to answer questions and hear input from Mossville residents. A Sasol representative also met individually with residents by appointment in Mossville.

While many residents accepted offers for their properties, many others chose to stay. Sasol instituted the VPPP to give our near neighbors choices – choices they asked for and provided

input on during the program development phase. It is irresponsible to call the program anything other than voluntary. Absolutely no one was “forced” to relocate.

**Accusation:** “Community members recall that many elderly residents died shortly after moving. They attribute these deaths to the trauma of displacement.”

**Fact: Respect for all people is a core value of Sasol.** Sasol has never heard this information from the community members or from regulatory entities. We are always open to dialogue with our neighbors and with participants in the Voluntary Property Purchase Program, and we want to hear their feedback. While it is certainly regrettable that some Mossville residents experienced alleged emotional and psychological harm, the VPPP was a choice. In no way did Sasol force residents to choose one way or the other. There were multiple points throughout the program where residents could have backed out on the sale of their property if they were not happy with the offer or relocation prospects.

**Accusation:** “Residents are clear about why Sasol targeted Mossville for its expansion: ‘They came in on us because we’re Black.’”

**Fact: Respect for all people is a core value of Sasol.** It is astounding that media and other groups continue to suggest that Sasol had a desire to buy this property, was “seeking the resettlement of affected residents,” or “targeted” its residents, as suggested throughout the blog story. Sasol did not need it or want the VPPP property. Sasol purchased an existing manufacturing facility in 2001 that had been in operation since the 1960s and our growth projects did not take place in Mossville at all. In fact, the land acquired through the VPPP still sits vacant today. Our facility is adjacent to the city of Westlake, closer than it is to Mossville, as shown on the following map in Figure A.

#### Figure A

<<PLACEHOLDER FOR MAP>>

**Accusation:** “Sasol has wiped out one of Louisiana’s oldest historically Black communities and is now poisoning the residents of Mossville who remain.”

**Fact: Sasol answered the community’s request for an opportunity to move with a voluntary property purchase program and worked hand in hand with Mossville residents to preserve the area’s history and connect families to economic opportunities as requested.** To suggest any single company or entity holds sole responsibility for the transition of Mossville is irresponsible. As the blog story indicates, industry began locating in the area in the 1940s. For years, Mossville residents asked for buyouts, but none were implemented. Sasol purchased its facility from CONDEA Vista in 2001 and announced plans to progress a new ethane cracker project in 2012, residents reached out to request a buyout. Sasol also worked hand in hand with the Mossville community to:

- Implement the Mossville History Project, which preserved written and oral histories from many Mossville residents, and an exhibit including those histories along with video and artifacts is available for public viewing at the Imperial Calcasieu Museum, the McNeese Archives and LSU Libraries Special Collections, Louisiana and Lower Mississippi Collections. The book sponsored by this initiative, *A forgotten community: A history of Mossville*, is also available and hard copies have been provided to Mossville residents.
- Develop the Workforce Scholarship Program, which has awarded 319 scholarships to date, with 275 recipients participating in career counseling. All Mossville residents who applied were awarded a scholarship.

**Accusation:** “As part of Sasol’s responsibility to remediate the harm it has caused, Sasol must engage with remaining community members and enable them to relocate on just and equitable terms.”

**Fact: The Voluntary Property Purchase Program provided residents with above-market offers and a generous timeline to decide on property transactions.** Sasol engaged a third-party company that specializes in developing and administering residential real estate property programs to administer the program utilizing best practices from similar programs. Independent appraisers, or an appraiser of the property owner’s choice, evaluated the properties in the purchase area and comparable sales in nearby areas considered higher-value. Sasol then offered participants 40-60 percent over the appraised value of their properties, with appraisal minimums of \$100,000 for owner-occupied homes and bonuses to cover expenses sellers may have incurred. This premium was intended to help honor the intangible losses that Mossville property owners may experience leaving the community and went beyond “heritage formulas” used by states when acquiring land through eminent domain. Offers were made non-negotiable to ensure all property owners received offers that were fair and equitable. Land purchased as part of the program remains zoned as mixed residential today.

**The Voluntary Property Purchase Program was requested by, developed in partnership with and provided for the benefit of Mossville property owners who wanted to sell their properties to Sasol. More than 580 property owners accepted offers from the program, at significantly above-market prices.**

Sasol continues to respond to community questions it receives, meet regularly with stakeholders, and work with near neighbors who chose to stay to address the needs of their communities.

**Clarifications related to the two figures identified in the proposed blog post:**

**Figure 1:** This map fails to show the location of Sasol’s facility, which would provide context around the difference between the two neighborhoods identified. The neighborhoods outlined in the map were not needed for the project, and Sasol only purchased those properties if residents chose to participate in the Voluntary Property Purchase Program. Furthermore, both Brentwood and Mossville were home to White and African American residents. African American residents in Brentwood negotiated their purchase price, and White residents in Mossville received the formula developed by the program.

The bottom portion of the Brentwood neighborhood (not indicated on the map in Figure 1) was needed for the new ethane cracker and derivatives project. Those properties were negotiated via a licensed real estate agent and property owners on a one-on-one basis. The negotiated values were reflective of the fact that Sasol needed them for execution of its multi-billion-dollar economic development project.

**Figure 2:** Once again, it is important to note that there were two separate and distinct programs related to property purchase and there were property owners of White and African American descent in both programs.

- 1) The first was an acquisition of property Sasol needed for the Lake Charles Chemicals Project. That included about half of the homes in Brentwood, prior to the introduction of the

Voluntary Property Purchase Program (VPPP) and did not involve any expropriation or legal condemnation.

2) The second, the Voluntary Property Purchase Program, was implemented later and involved properties Sasol did not need for operations. From the beginning of the VPPP, Sasol has made it clear that the company has no interest in utilizing the acquired properties for its operations.

All VPPP participants were held to the same program parameters regardless of which neighborhood they lived in. The VPPP purchase and sales agreements were non-negotiable by design. Participation in the program and the decision to sell or not to sell to Sasol was entirely at the option and discretion of the owners. It was especially important to the integrity of the VPPP program that the parameters of the program be followed consistently, otherwise it would appear that Sasol was favoring certain property owners over others. The non-negotiable nature of the VPPP is consistent with best practices found in other buyout programs.

