

Rebuttal #2 to Sasol:

In its latest reply, Sasol repeats many of its previous misrepresentations in addition to introducing a few new ones. We respectfully remind Sasol that Concerned Citizens of Mossville would welcome an opportunity to engage in dialogue about how the company can enable a just and equitable relocation for remaining community members. **Sasol still has an opportunity to do right by those who remain in Mossville.**

Sasol cites corporate propaganda—including an article in *10/12 Industry Report* and a Sasol-made public relations video—to claim that Mossville residents “benefited from” the forced displacement of their community. But [in-depth interviews](#) with dozens of Mossville residents who participated in Sasol’s buyout program confirm that the buyout was financially and psychologically devastating for community members.

First, Sasol brazenly claims that the company consulted Mossville community members about its massive expansion project “long before a final decision was made.” **This is categorically false: the public record confirms that no such consultation took place.** [By 2010](#), Louisiana was engaged in discussions with Sasol about bringing a gas-to-liquid (GTL) facility to the state. [In early 2011](#), Louisiana’s Business Expansion and Retention Group “partnered with the Southwest Louisiana Economic Development Alliance and the Port of Lake Charles to identify potential sites for Sasol in Southwest Louisiana,” and a 650-acre site adjacent to Sasol’s existing Lake Charles complex was identified. In [September 2011](#) and [November 2011](#), Sasol announced plans to conduct final feasibility studies for a GTL facility and an ethane cracker in the identified area. On December 3, 2012, at a [high-profile press conference](#) covered by the New York Times, Sasol publicly announced that it would build the GTL facility and ethane cracker. Then-governor Bobby Jindal [hailed Sasol’s massive expansion](#) as “one of the most significant economic development wins our state—and nation—has ever recorded.”

At no point prior to this public announcement did Sasol ever formally consult with Mossville residents. As a community member [told the local newspaper](#) two days after the public announcement, **“This announcement is a complete shock to us. It is one we are sure they sat on and never once came to the community as a good neighbor to let residents know that this plant would be so close to our homes. We think this is unfair and unjust.”**

Sasol insults readers’ intelligence by claiming that the December 2012 public announcement did not reflect a “final decision” about the expansion project. The project had been in the works since at least 2010. Feasibility studies had been completed. With much fanfare, Sasol’s CEO and Louisiana’s governor publicly announced that the project would move forward. The fact that some permits still needed to be secured is meaningless: the decision had been made, and Mossville residents learned about it for the first time in the news.

Indeed, in an interview with the University Network for Human Rights on September 8, 2021, Sasol Government and Public Affairs Manager Kim Cusimano was asked why Mossville residents were never consulted about the planned expansion project. Cusimano cited “market sensitivity because we are publicly traded.”

Sasol repeats its talking point about “host[ing] community meetings in Mossville.” Crucially, these community meetings took place *after* the expansion project was publicly announced in December 2012. Thus, the expansion project itself was *not* up for discussion at these community meetings; rather, the only remaining subject for discussion was the fallout from the project. It is therefore deeply disingenuous for Sasol to frame its buyout program as “simply a response to a request from the Mossville community.” Mossville residents strongly opposed the expansion project that gave rise to the buyout program but were never consulted about the project until it was a fait accompli.

Second, Sasol attacks the validity of EPA’s RSEI database, upon which Sasol’s designation as the nation’s #2 super-polluter is based. **This attack is ironic because the RSEI database relies on self-reported industry data. Thus, Sasol’s claim that the emissions values in the RSEI database were “simply wrong” would mean that Sasol reported inaccurate emissions data.** Sasol uses a standard industry tactic of attacking the reliability of EPA data. In reality, EPA data represent the best available science about the overall health risks of Sasol’s emissions. Sasol does not cite any independent studies or EPA datasets in its response because **all available scientific data indicate that Sasol’s emissions are extremely toxic and carcinogenic.** While EPA is working to reduce ethylene oxide emissions across the U.S., Sasol is recklessly increasing emissions of this potent carcinogen. According to Sasol’s own calculations, ethylene oxide emissions from the Lake Charles complex have increased every year for the past four years. As a result, Sasol’s ethylene oxide emissions in 2020 were more than triple the value in 2016 (2.35 tons versus 0.75 tons).

In late 2018, the EPA published an updated National Air Toxics Assessment that revealed unacceptably high cancer risk to nearby residents from Sasol’s ethylene oxide emissions. In response, Sasol retroactively changed its reported ethylene oxide emissions to be just 6% of the original reported value for the assessed year (0.33 tons versus 5.54 tons). We are not aware of any publicly available documentation to support this drastic and convenient revision. But even if we accept Sasol’s after-the-fact revisions to its emissions data, Sasol is still a super-polluter. **Based on the most recent (2020) emissions estimate that Sasol reported to RSEI, Sasol ranks in the top 0.1% (16 of 13,009) of U.S. facilities for highest cancer risk from industrial emissions.** Demonstrating blatant disregard for the negative impacts of its operations, Sasol does not even acknowledge that its facility releases harmful emissions or that its expansion had any negative consequences for those who remained in Mossville.

Third, **Sasol confirms that the company disregarded residents’ individual financial circumstances, such as heirs’ property ownership, Road Home grant funds, and pre-existing debts.** On the issue of heirs’ property ownership, Sasol’s view is that non-resident heirs’ property owners should have simply handed over their share of the buyout amount to family members living on the property to enable those family members to relocate. In other words, Sasol—a multibillion dollar corporation encroaching on a historically Black community—apparently believes that the onus to ensure that resident heirs’ property owners had sufficient funds for relocation fell on their family members, not on Sasol. This is a ludicrous and insulting proposition.

Sasol invokes the buyout program's \$5,000 title curative allowance. To be clear, the title curative allowance was not paid to Mossville residents; rather, the allowance was paid directly to a law firm approved by Sasol to cover the legal costs of curing title problems. In some cases, the legal costs of curing title problems exceeded \$5,000, and any legal fees in excess of \$5,000 were deducted from residents' buyout amounts.

Sasol also confirms that the company failed to account for Road Home grant funds and pre-existing debts in its compensation offers, stating that "[t]his was not something Sasol had any control over." We obviously have never claimed that Sasol had control over the existence of liens on Mossville residents' properties. Rather, our point is that Sasol should have considered these individual financial circumstances in its determinations about compensation. If the goal of a buyout program is to make residents whole—that is, compensate them sufficiently to enable relocation to a comparable home—then each household's unique financial situation must be considered; otherwise, many residents will walk away with paltry amounts of money. In our previous response, we provided examples of Mossville residents who received \$36,000 and \$44,000 in hand as a result of Sasol's failure to account for heirs' property ownership and Road Home grant funds.

Fourth, **Sasol confirms that Mossville residents had no input into the buyout program's compensation formula.** Sasol reports that its third-party consulting company, Community Interaction Consulting (CIC), determined the compensation formula. According to Sasol, CIC developed the formula by "research[ing], collect[ing], and analyz[ing]" market housing data. CIC's alleged data collection, research, and analysis has never been publicly released or shared with community members. In fact, CIC does not even have a website and is a completely non-transparent company. CIC's secretly developed formula did not enable compensation at full replacement cost.

Sasol also repeats its talking point that the buyout program was "the most generous...in history." **In fact, a review of other industrial buyouts in Louisiana, the U.S., and around the world has [confirmed](#) the falsity of this claim.** After adjusting for inflation, Sasol's compensation formula was roughly similar to those used by other companies in Louisiana buyouts and *less* generous than formulas used by industries elsewhere in the U.S. and in other parts of the world.

Finally, the International Finance Corporation's guidelines are entirely appropriate because Sasol's buyout program was "voluntary" in name only. As we have explained, a "choice" between relocating or living in the backyard of a highly toxic chemical facility is not a real choice.

Fifth, Sasol repeats its claim that the buyout program "included generous timelines" for decision-making. **Residents from 11 of 32 households in the University Network for Human Rights' [qualitative analysis](#) reported that they felt rushed and pressured to move quickly through the buyout process.** Several residents described how CIC representatives made them feel like it was "now or never" if they wanted to sell their properties ("she stayed on us— 'if you don't do it now, it's not gonna happen, I'm telling you'"), and residents from 2 households used the word "harassment" to describe the actions of CIC representatives. Many Mossville residents—including many elderly residents—were navigating the housing market and homebuying process

for the first time. Residents from 10 of 32 households felt that they were alone and operating “in the dark,” without access to sufficient information and resources to make informed decisions, research their options, and find a new home.

Sixth, Sasol claims—with zero evidence—that “to the best of [Sasol’s] knowledge,” no properties in the buyout area were rezoned at Sasol’s request. **Sasol’s requested rezoning is a matter of verifiable fact—not opinion—and the facts are clear.** In 2014, Sasol successfully sought to rezone some of the Mossville properties acquired through the buyout program to “heavy industrial.” A local newspaper at the time [reported](#) on Sasol’s rezoning application: “Sasol officials are seeking to change the designation from residential, agricultural and light industrial to heavy industrial. **Mike Hayes, Sasol’s public affairs manager for U.S. megaprojects, said some of the Mossville-area properties targeted were acquired from the company’s Voluntary Property Purchase Program,** which ran last year from August to early December” (emphasis added). We have also provided zoning maps that clearly show that some properties acquired through the buyout program were rezoned for heavy industrial usage.

Seventh, Sasol repeats its talking point about the company’s alleged “social investments.” Once again, these initiatives have nothing to do with Sasol’s buyout program and forced displacement of the Mossville community. Sasol cites a public relations video made by the company, featuring a handful of Mossville community members. It goes without saying that these cherry-picked testimonials from community members are not representative of the views of the community, which has widely and consistently opposed Sasol’s expansion project and conduct in Mossville.