

27 July 2020

Attention: The City of Cape Town Metropolitan Municipality:

To: Mr Richard Nel
Manager for the Water Quality Improvement Project
City of Cape Town Metropolitan Municipality

Per: E-mail: Richard.Nell@capetown.gov.za

And to: Mr Michael Webster
Office of the Executive Director:
Water and Waste Services

Per: E-mail: Michael.Webster@capetown.gov.za

Dear Sirs,

RE: MILNERTON / DIEP RIVER WATER CONTAMINATION
OUR REF: L9/BD/04
YOUR REF: UNKNOWN

1. Your letter dated 14 July 2020 refers.
2. We herewith acknowledge receipt of your correspondence and note the content thereof. Thank you kindly for your response.
3. We herewith do not propose to respond to all the issues and allegations raised in the city's response letter. The fact that we omit to do so does not constitute an acknowledgement or admission thereof. OUTA reserves the right to answer the allegations another time, should that be necessary.
4. With reference to your letter, we wish to comment on your responses, as per our initial referencing in our letter dated 09 July 2020:

ORGANISATION UNDOING TAX ABUSE NPC

Reg No.: 2012/064213/08

Directors: W Duvenage (CEO), Adv. S Fick

Non-Executive Directors: F Adam (Chair), P Majazi, W Modisapodi, LP Pauwen, T Pillay Van Graan, Dr H Volmink

ADDRESS: O'KEEFFE & Swartz Building, 318 Oak Avenue, Randburg, Gauteng

CONTACTS: 087 170 0639 • info@outa.co.za • www.outa.co.za

5. Ad paragraph 5:

We respectfully disagree with the city's statement that our independent water sampler trespassed on the Potsdam Wastewater Treatment Works' property and then blatantly refused to meet with the plant management. The simple reason for our sampler not engaging with the plant management was that the sampler did not have an official mandate from OUTA, to engage on our behalf. The sampler is completely independent.

6. Ad paragraph 8:

As far as the city's "FE" sample point is concerned, we respectfully do not believe that is the correct location to take samples to determine the true quality of the treated effluent being discharged into the river. The reason being is that the city still has control of the effluent after that point and cannot conclusively determine that the effluent being discharged into the river complies with the Water Use License.

Furthermore, although the city does confirm that the city's result are in agreement with OUTA's results for our sampling point "PDB", it should serve as a confirmation of OUTA's position that (a) the city is not complying with the Water Use License issued for Potsdam and (b) are contradictory to the results published in the public domain, by the City of Cape Town.

More interesting to note is that in your letter dated 14 July 2020, the city makes mention of our sampling point "PDA" but fails to mention our sampling point "PDC". We strongly believe that our sampling point "PDC" is indeed of utmost importance and the best location to monitor the actual quality of effluent being discharged into the Diepriver.

7. Ad paragraph 9, 10, 11, 12, 13 & 14:

Notwithstanding the aforementioned, we thank the city for their willingness to cooperate with us and for agreeing that we may proceed in taking the water samples at the Potsdam WWTW.

8. Kindly would you indicate whom we may contact to make the necessary arrangements for sampling at the Potsdam WWTW.

9. We again reiterate that in order for OUTA to maintain the integrity of our sample results, our sampling of these points at the Potsdam WWTW, will have to be announced.

10. Kindly may we have the details of the contact person on or before 29 July 2020.

11. Should you have any queries, kindly contact OUTA's Senior Legal Project Manager, Ms Andrea Korff at andrea.korff@outa.co.za.

12. We trust that you find the above in order and look forward to receiving a favourable response.

Yours Sincerely

Andrea Korff
Senior Legal Project Manager
Organisation Undoing Tax Abuse
E-mail: andrea.korff@outa.co.za