



ALBERTA  
ENVIRONMENTAL APPEALS BOARD

April 7, 2026

**Via E-Mail**

To Distribution List:

**Re: West-Can Seal Coating Inc./Water Act Licence No. DAUT0015800**  
**Our File No.: EAB 24-002-005, 007, 009 & 010**

The Board acknowledges receipt of the attached letter dated April 6, 2026, from Mr. Konner and Ms. McCharles.

**Appeal Withdrawal:**

The Board understands the appeals have been withdrawn. Mr. Konner and Ms. McCharles can withdraw their own appeals, but they cannot withdraw the appeals filed by the remaining appellants. In this regard, Ms. Joyce Kyncl, Mr. Thomas White, Mr. Robert Killeleagh, Mr. Mark and Ms. Tamy Fankhauser and Ms. Jean Roberts are asked to contact the Board by April 10, 2026 by telephone 780-427-6569 or e-mail [valerie.myrmo@gov.ab.ca](mailto:valerie.myrmo@gov.ab.ca) to confirm your appeal is withdrawn.

Considering the Appellant's request to withdraw their appeals, **the Board has cancelled the hearing that was scheduled for April 21, 22 and 23, 2026.**

**Costs:**

The Appellants raised the issue of costs in their April 6, 2026 letter. The Board notes West-Can Seal Coating Inc. reserved their right for apply for costs in their response submission for the hearing. If West-Can Seal Coating Inc. is filing an application for costs they are requested to do so by **April 14, 2026**. Responses to the costs application will be due by **April 21, 2026**.

In considering applications for final costs, the Board requires a motion that clearly outlines the actual costs incurred in the preparation and presentation of the party's submission. Where possible, invoices, receipts and other necessary documentation should be attached. A detailed breakdown of all costs claimed must be provided. In addition, the party should indicate the reasons why the funds are needed to meet their financial obligations and if attempts were made to seek other sources of funding. Please refer to section 20 of the Environmental Appeal Board Regulation and Rule 33 of the Board's Rules of Practice (copies attached).

Other considerations the Board may take into account when contemplating a costs application include, but are not limited to:

- Did the party make a substantial contribution to the hearing and focus on the issues set by the Board?
- Were the presentations made in a timely and efficient manner so as not to unduly delay and prolong the hearing?

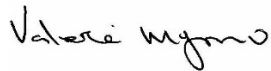
- Are the costs requested reasonable and reflect only the actual expenditures incurred in the preparation and presentation of the submissions?
- Did the party indicate an intention to pursue a costs application prior to the conclusion of the hearing (as required in section 20 of the Environmental Appeal Board Regulation, 114/93)?
- Did the party act in good faith in all phases of the proceedings?

The decision with respect to the request for costs including whether to award costs, the amount of any costs, and the party by whom costs are to be paid, is at the discretion of the Board. The Board will make its decision with respect to costs once all submissions have been received. Filing a request for costs does not mean all or any costs will be awarded.

By seeking the positions of the parties on the matter of costs, the Board is not opening the proceedings for any other purpose.

Please do not hesitate to contact the Board if you have any questions. We can be reached toll-free by first dialing 310-0000 followed by 780-427-7002 for Tara Blake, Registrar of Appeals, 780-427-6569, Valerie Myrmo, Board Secretary or 780-427-4179 for Gilbert Van Nes, General Counsel. We can also be contacted via e-mail at tara.blake@gov.ab.ca, valerie.myrmo@gov.ab.ca and gilbert.vannes@gov.ab.ca.

Yours truly,



Valerie Myrmo  
Board Secretary

Att.

The information requested is necessary to allow the Environmental Appeals Board to perform its function. The information is collected under the authority of the Protection of Privacy Act, SA 2024, c P-28.5, sections 4(c), 5(1)(p), and 5(2) for the purposes of administering the Environmental Appeals Board's appeals program. The collection of personal information is authorized pursuant to section 5 of the Environmental Appeal Board Regulation. Questions about the Environmental Appeals Board's collection of information should be directed to: Gilbert Van Nes, General Counsel, Environmental Appeals Board, 306, Peace Hills Trust Tower, 10011 – 109 Street, Edmonton, AB T5J 3S8 or e-mail at gilbert.vannes@gov.ab.ca. **The information you provide will be considered a public record.**

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