



DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree under the Clean Water Act

On July 10, 2026, the Department of Justice lodged a proposed consent decree with the United States District Court for the District of Kansas in the lawsuit entitled *United States and the State of Kansas v. South Bow (USA) LP and South Bow Infrastructure Operations Inc.*, Civil Action No. 2:26-cv-02401.

The United States filed this action under the Clean Water Act against Defendants for a December 2022 rupture of the Keystone Pipeline, which discharged at least 12,937 barrels of oil into Mill Creek, and onto its adjoining shorelines, in Washington County, Kansas. The proposed consent decree requires Defendants to pay a \$26,867,789 civil penalty and implement injunctive relief designed to reduce the likelihood of similar spills. The consent decree also resolves claims by the State of Kansas for civil penalties for violations of state laws.

The publication of this notice opens a period for public comment on the consent decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States and the State of Kansas v. South Bow (USA) LP and South Bow Infrastructure Operations Inc.*, D.J. Ref. No. 90-5-1-1-12906. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by e-mail or by mail:

<i>To submit comments:</i>	<i>Send them to:</i>
By e-mail	pubcomment-ees.enrd@usdoj.gov
By mail	Assistant Attorney General U.S. DOJ – ENRD P.O. Box 7611 Washington, D.C. 20044-7611

Any comments submitted in writing may be filed by the United States in whole or in part on the public court docket without notice to the commenter.

During the public comment period, the consent decree may be examined and downloaded at this Justice Department website: <https://www.justice.gov/enrd/consent-decrees>. If you require assistance accessing the consent decree, you may request assistance by email or by mail to the addresses provided above for submitting comments.

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Environment and Natural Resources Division.

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