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Statutory Developments

The Marcellus Shale development, in Maryland’s Western panhandle counties of Garrett and Allegany, remains paralyzed pursuant to a seemingly now permanent prohibition on “the hydraulic fracturing of a well for the exploration or production of oil or natural gas in the State.”

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Maryland statute defines Hydraulic Fracturing as “a stimulation treatment performed on oil and natural gas wells in low-permeability oil or natural gas reservoirs through which specially engineered fluids are pumped at high pressure and rate into the reservoir interval to be treated, causing fractures to open.” Thus, the draft regulations contemplated by prior versions of the aforesaid statute, published by the Maryland Department of the Environment in the Maryland Register on November 14, 2016, and discussed in last year’s Summary were never adopted.

2. **MD. CODE ANN., ENVIR. § 14-107.1(a) (West 2018).**