

FILED

NOV 18 2008

**SUPERIOR COURT
CLERK'S OFFICE**

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury Number SGJ 567-08-1
Superior Court 08-11-00260-S
Docket Number _____

STATE OF NEW JERSEY, :

Plaintiff, :

v. :

INDICTMENT

THOMAS W. MCFARLAND, JR. :

Defendant :

The Grand Jurors of and for the State of New Jersey, upon their oaths present that:

COUNT ONE

(Violation of the Water Pollution
Control Act - Third Degree)

THOMAS W. MCFARLAND, JR.

on or about August 22, 2008, in the Borough of Avalon, in the County of Cape May, elsewhere, and within the jurisdiction of this Court, purposely, knowingly, or recklessly did discharge a pollutant without a valid New Jersey Pollutant Discharge Elimination System permit issued by the Department of Environmental Protection, that is, THOMAS W. MCFARLAND, JR., purposely, knowingly or recklessly, did discharge pollutants, namely needles and other, medical type waste, into Townsend Inlet, without possessing a valid

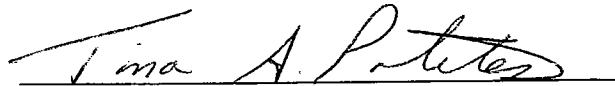
New Jersey Pollution Discharge Elimination System permit issued by the Department of Environmental Protection, contrary to the provisions of N.J.S.A. 58:10A-10f(2) and N.J.S.A. 58:10A-6a and against the peace of this State, the Government and dignity of the same.

COUNT TWO

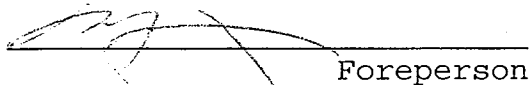
(Unlawful Disposal of Regulated
Medical Waste - Third Degree)

THOMAS W. MCFARLAND, JR.

on or about August 22, 2008, in the Borough of Avalon, in the County of Cape May, elsewhere, and within the jurisdiction of this Court, purposely or knowingly, did dispose of regulated medical waste without authorization from the Department of Environmental Protection, that is, THOMAS W. MCFARLAND, JR., purposely or knowingly did dispose of regulated medical waste, specifically used needles from his dentistry practice, into Townsend Inlet, without authorization from the Department of Environmental Protection, contrary to the provisions of N.J.S.A. 13:1E-48.20g(1) and against the peace of this State, the Government and dignity of the same.


Tina Polites, Chief
Major Crimes Bureau
Division of Criminal Justice

A TRUE BILL:


Foreperson

Dated: 11/18/08

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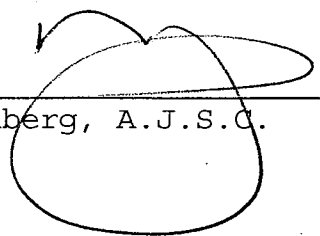
THOMAS W. MCFARLAND, JR.)

ORDER OF VENUE

An Indictment having been returned to this Court by the State Grand Jury in the above captioned matter,

IT IS ORDERED on this 18th day of November, 2008, pursuant to paragraph 8 of the State Grand Jury Act, that the County of Cape May be and hereby is designated as the County of venue for the purpose of trial.

IT IS FURTHER ORDERED that the Clerk of the Superior Court shall transmit forthwith the Indictment in this matter and a certified copy of this Order to the Criminal Division Manager of the County of Cape May for filing.

Linda R. Feinberg, A.J.S.C.