



Practice Areas

- Commercial Litigation
- Environmental
- Litigation
- Nonprofit

Education

- Albany Law School of Union University, J.D., 1974
- Purdue University, B.A., 1970

Admissions

- New York
- U.S. Court of Appeals for the Second Circuit
- U.S. District Court for the Eastern District of New York
- U.S. District Court for the Northern District of New York
- U.S. District Court for the Southern District of New York
- U.S. District Court for the Western District of New York

Doreen A. Simmons

PARTNER

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Doreen A. Simmons is a nationally recognized leader in the area of Environmental Law and is the leader of the Environmental Practice at Hancock Estabrook. She has more than 30 years of experience representing major and mid-sized industries, individuals, municipalities and not-for-profit organizations in regulatory proceedings and matters involving compliance, acquisitions and permitting throughout the State of New York and all regions of the New York State Department of Environmental Conservation. Ms. Simmons has represented clients in State and Federal litigated matters regarding Comprehensive Environmental Response, Compensation, and Liability Act, Superfund (CERCLA), The Resource Conservation and Recovery Act (RCRA), Clean Water Act (CWA), Toxic Substances Control Act (TSCA), Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), and the New York State Navigation Law that governs petroleum sites. She frequently represents clients in Article 78 proceedings, toxic tort litigation, insurance coverage lawsuits, and contract disputes in courts and before regulatory agencies.

Ms. Simmons' broad experience encompasses all aspects and types of permitting including air, waste, wastewater, wetlands, stormwater and mining, as well as 14001 ISO certification and oil and gas projects, particularly in the Marcellus Shale. She has negotiated numerous consent orders and voluntary agreements with the EPA and the DEC and has assisted clients with contaminated property transactions, Brownfields and green and sustainable building projects. Ms. Simmons has assisted sellers, developers, Industrial Development Corporations, municipalities and lenders with security interest preservation, State and Federal grant opportunities, SEQRA and historical preservation.

Ms. Simmons also routinely represents numerous not-for-profit entities and religious corporations in matters of corporate governance and compliance.

Prior to joining Hancock Estabrook, Ms. Simmons served as a prosecutor for seven years in the Onondaga County District Attorney's Office. In 2013, Ms. Simmons received the "American Inns of Court Professionalism Award" for the Second Circuit American Inns of Court. It is the first time an attorney in the 32 county Federal District Court, Northern District of New York, has received this award.

Ms. Simmons was selected as a *Best Lawyers'* 2016 and 2021 Syracuse Litigation – Environmental "Lawyer of the Year."

In 2014, Ms. Simmons was selected as one of the "Top 25: 2014 Women Upstate New York *Super Lawyers*" and as a "Lawyer of the Year" by *Corporate LiveWire* magazine.

Representative Matters

- Handled the permitting and citing of a manufacturing facility engaged in oil well field services in the Marcellus Shale
- Voluntary clean-up of PCB contaminated properties (40 CFR Part 761)
- Serves as Chairperson to various Steering Committees for groups of potentially responsible parties with responsibilities for day-to-day management of the investigation, remediation and long-term monitoring of Inactive Hazardous Waste Sites, management of related litigation and required regulatory filings and communications with State and Federal Authorities
- Has brought to conclusion or in the process of completing by issuance of the Certificate of Incorporation of over 12 Brownfield Sites in the State of New York which sites have been or are marketed for redevelopment and reuse including former electronics manufacturing, plating facilities, municipal, training, light industrial, steel manufacturing, commercial/office redevelopment, and a residential condominium redevelopment
- Assisted various clients to receive a Title V Air Permit in the chemical and plating operations to include air modeling, continuous emission monitoring and long-term facility compliance.
- Assisted numerous entities in addressing environmental issues associated with the buying and selling of facilities
- Provides assistance to large manufacturing facilities seeking certification under ISO14001
- Assisted clients as it related to numerous Inactive Hazardous Waste Sites in the State of New York during all phases of investigation, remediation, closure, post-closure and reopener including dry cleaning, petroleum and solvents recycling, steel manufacturing

Litigated Matters

- Multiple petroleum-related matters as among responsible parties and the State of New York
- Contract claims associated with management of major food facility (State Supreme Court)
- Prosecution and defense of Navigation Law actions seeking recovery of response costs associated with petroleum releases (numerous Federal and State jurisdictions)
- Defense of Fortune 100 companies in an action under RCRA and CERCLA for damages and clean-up of a former oil recycling facility (United States District Court, Eastern District of New York)
- Cost recovery and contribution action seeking recovery from over 100 defendants on behalf of a PRP Group for clean-up of a hazardous waste site (United States District Court, Western District of New York)
- Cost recovery and contribution actions in Federal Court pursuant to CERCLA and RCRA against a PRP for contamination of residential property (United States District Court, Northern, Eastern and Western Districts of New York)
- Interpretation of indemnification agreements involving asset and stock transactions to determine the responsibility of the parties for environmental contamination (numerous Federal and State jurisdictions)

- Defense of toxic exposure case involving 30 homeowners (State Supreme Court)
- Defense of State responder contractor to action commenced by property owner relative to remedial activities (United States District Court, Northern District of New York)
- Criminal enforcement matters regarding RCRA, permitting requirements, falsification of records, laboratory protocols, mishandling of hazardous waste (various Federal, State and State Courts)

Professional Credentials

- Founding President, Northern District of New York Federal Bar Association, Inc. (2003-2005)
- Member, Puerto Rican Bar Association, Inc.
- Selected Fellow, New York State Bar Foundation (1990-Present)
- Chair, New York State Character and Fitness Committee, Fifth Judicial District
- Chair and Speaker, New York State Bar Association CLE Programs – Syracuse Area
- Member, Northern District of New York Federal Bar Association, Inc., Board of Directors (2003-Present)
- Member, Second Circuit Joint Federal and State Judicial Council Committee
- Member, New York State Bar Association (Environmental, Commercial Litigation Committees)
- Member, Environmental and Commercial Litigation Sections, related committees
- Member, CNY Women’s Bar Association
- Legal Counsel, Roman Catholic Diocese of Syracuse
- Legal Counsel, CNY Girl Scout Council
- Legal Counsel, SAVES Ambulance, Skaneateles, New York
- Legal Counsel, Skaneateles Volunteer Fire Department

Honors & Recognitions

- Fellow, Litigation Counsel of America
- Rated, AV Preeminent, Martindale-Hubbell
- Selected, *The Best Lawyers in America* (2011-2021)
- Selected, *Best Lawyers’* Syracuse Litigation – Environmental “Lawyer of the Year” (2016, 2021)
- Selected, Upstate – New York, *Super Lawyers* (2012-2020)
- Selected, Top 25: 2014 Women Upstate New York *Super Lawyers* (2014)
- Selected, New York, *Chambers USA*
- Selected, Lawyer of the Year, *Corporate LiveWire*
- Selected, *Best Lawyers’* 2011 Syracuse Environmental “Lawyer of the Year”
- Winner, *Finance Monthly* – Law Awards (2011)
- Recipient, American Inns of Court Professionalism Award (2013)
- Recipient, CNY Girl Scout Council Women of Distinction Award (2009)
- Recipient, Honorable James R. Duane Award, Contributions to the Federal Practice

(2006)

Press & Publications

News

- 17 Hancock Estabrook Attorneys Selected to The Best Lawyers In America 2020
- Hancock Estabrook, LLP Joins Ford Motor Company's Legal Alliance for Women in a Global Day of Service
- Doreen A. Simmons Named Best Lawyers 2011 Environmental Lawyer of the Year!

Publications

- Environmental Law Alert: EPA and CDC Guidance on Cleaning and Disinfecting Public Spaces, Workplaces, Businesses and Schools
- Environmental Law Alert: Department of Environmental Conservation (DEC) has Issued Clarifications as to what Constitutes "Essential Construction"

Speaking Engagements

- Federal State Advisory Counsel, "Expert Testimony in Federal and State Courts"
- New York State Bar Association, "The Art of the Brownfield Deal"
- New York State-Federal Judicial Council and the Second Circuit Judicial Counsel, "Understanding Daimler: The Impact of the Supreme Court's Decision on Various Aspects of New York Law"
- New York State Bar Association Environmental Law Section Oil Spill Symposium, "Time Limitations: When is Late Never"
- 20th Annual Joint Technical Conference of the CNY Chapters of the Air & Waste Management Association and American Industrial Hygiene Association
- Northern District of New York Federal Court Bar Association, "Environmental Update: First Energy, CERCLA Liability and Bankruptcy Issues"
- New York State Bar Association, "Basic Lessons on Ethics and Civility"
- Onondaga County Bar Association, "Advice from the Experts: Successful Strategies for Winning Commercial Cases in New York State Courts"