



## Doreen A. Simmons

*Partner*

P: (315) 565-4500 ext. 4552

F: (315) 565-4600

[dsimmons@hancocklaw.com](mailto:dsimmons@hancocklaw.com)



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Doreen A. Simmons is the Leader of the Environmental Practice. 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 in all regions of the New York State Department of Environmental Conservation. Ms. Simmons has represented clients in State and Federal litigated matters (CERCLA, RCRA, CWA, TSCA, FIFRA), and the New York State Navigation Law (petroleum sites), as well as 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 (air, waste, wastewater, wetlands, stormwater and mining) as well as 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" 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.

Prior to joining Hancock Estabrook, Ms. Simmons served as a prosecutor for seven years in the Onondaga County District Attorney's Office.

Ms. Simmons was selected as a Best Lawyers' 2016 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.

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.

## PRACTICE AREAS

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- Commercial Litigation
- Environmental
- Litigation
- Regulatory & White Collar Crime
- Nonprofit Governance & Tax-Exempt Organizations

## REPRESENTATIVE MATTERS

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- Handled the permitting and citing of a manufacturing facility engaged in oil well field services in the Marcellus Shale.
- 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 ten 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

- 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).

## RECOGNITIONS AND HONORS

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- Fellow, Litigation Counsel of America
- Rated, AV Preeminent, Martindale-Hubbell
- Selected, *The Best Lawyers in America* (2011-2018)
- Selected, Best Lawyers' 2016 Syracuse Litigation - Environmental "Lawyer of the Year"
- Selected, Upstate - New York, Super Lawyers (2012-2017)
- 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)

## PROFESSIONAL AND COMMUNITY ACTIVITIES

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- Founding President, Northern District of New York Federal Bar Association, Inc. (2003-2005)
- 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

## SPEAKING ENGAGEMENTS

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- New York State Bar Association, "The Art of the Brownfield Deal" (October 2017)
- New York State-Federal Judicial Council and the Second Circuit Judicial Council, "Understanding Daimler: The Impact of the Supreme Court's Decision on Various Aspects of New York Law" (November 2016)
- NYSBA Environmental Law Section Oil Spill Symposium, "Time Limitations: When is Late Never" (June 2016)
- 20th Annual Joint Technical Conference of the CNY Chapters of the Air & Waste Management Association and American Industrial Hygiene Association (March 2016)
- Northern District of NY Federal Court Bar Association, "Environmental Update: First Energy, CERCLA Liability and Bankruptcy Issues" (November 2015)
- NYSBA, "Basic Lessons on Ethics and Civility" (April 2014)
- Onondaga County Bar Association, "Advice from the Experts: Successful Strategies for Winning Commercial Cases in NYS Courts" (October 2013)
- U.S. Court of Appeals Second Circuit, "Ethics Update: Perspectives from the Federal and State Judiciary" (May 2011)
- NDNY - FCBA CLE, "Environmental Litigation Seminar" (Spring 2015)
- New York State Bar Association
  - Environmental Practice Update
  - Environmental/Brownfield Redevelopment
  - Environmental Law Update
  - Environmental Law/Skills
- Northern District of New York Federal Court Bar Association
  - Settling Cases/Rule 68 Offers of Judgment
  - Not-for-profit Governance/ Religious Corporations
  - Immigration 101

- Corporate Governance/Religious Corporations
- Marcellus Shale/Supplemental Environmental Impact Statement

## PRESS AND PUBLICATIONS

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- "[Syracuse Women Inspire](#)", *Syracuse Woman Magazine*, March 2014
- "[Legal Focus: Environmental Law - U.S.](#)", *Lawyer Monthly*, October 2012

## EDUCATION

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

## ADMISSIONS

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- New York
- United States Court of Appeals (Second Circuit)
- United States District Court (EDNY)
- United States District Court (NDNY)
- United States District Court (SDNY)
- United States District Court (WDNY)