

# Former Saint-Gobain Lawyer Claims He Was Fired For Raising Alarm Over Potential Water Contamination

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By Annie Ropeik

In a federal whistleblower complaint, a former attorney for the Saint-Gobain plastics company claims he was told to “look the other way” on potential water contamination like the kind that’s affected New Hampshire and Vermont.

In the [complaint filed Tuesday](#) with the Occupational Safety and Health Administration, Amiel Gross alleges he was fired for urging Saint-Gobain executives to investigate the possibility of contamination at facilities besides those where the international company already faces lawsuits.

In a statement, Saint-Gobain spokesperson Lia LoBello called the complaint “baseless” and said the company will defend itself.

Saint-Gobain makes products using PFOA and other PFAS chemicals, which don’t break down in the environment or human bodies and are linked to a range of serious health conditions. They’re regulated by states like New Hampshire and Vermont, but not yet by the U.S. Environmental Protection Agency.

The chemicals were found in hundreds of drinking water wells around Saint-Gobain’s Merrimack factory in 2016. The town is now [suing the company](#), which recently [reached a settlement](#) with New Hampshire regulators over delays installing a new PFAS scrubber on its smokestacks.

The company went through similar episodes at its factories in Hoosick Falls, New York and Bennington, Vermont. Residents in those towns and Merrimack are part of class action lawsuits that have been filed against the company.

Gross’s complaint says Saint-Gobain has maintained that these three cases are their only such liabilities -- a stance he calls “incomplete and misleading.” He claims he faced retaliation for trying to get the company to do something about it.

## ‘IF YOU LOOK, YOU WILL FIND IT’

Gross was hired as a lawyer in Saint-Gobain’s U.S. headquarters, in Pennsylvania, in 2014. He defended the company in its three Northeast lawsuits, the complaint says, and soon began hearing witnesses testify about other Saint-Gobain sites that used PFOA in similar ways.

The complaint says Gross became worried that the company could be polluting drinking water in locations outside the Northeast. He proposed investigating those sites in a meeting with company executives in early 2019 – a protected whistleblower activity, according to the complaint.

Allegedly sitting across from Gross in that meeting was then-CEO Tom Kinisky – now the company’s North American chair – who responded, according to the complaint: “Don’t do that. You know why? If you look, you will find it. If you don’t, you can say you didn’t know.”

Gross alleges he didn't think Saint-Gobain was doing enough to ensure that people near these sites weren't drinking contaminated water.

LoBello, the Saint-Gobain spokesperson, said this exchange never happened and that “Mr. Gross’s claims that his concerns were dismissed by the C-suite” are false. She said Gross did not use proper ethics hotlines or other company channels to raise his concerns.

Gross continued investigating the potential for undisclosed drinking water risks with the help of outside attorneys, according to his complaint, feeling a sense of "moral duty" and that "the head-in-the-sand strategy was not a responsible option."

Gross focused on factories in Wayne, New Jersey – where local officials were beginning to accuse Saint-Gobain of causing drinking water pollution – and New Haven, Connecticut, where it was unclear if nearby waters had been contaminated. He also had concerns about facilities in Ohio and California.

Gross alleges he didn’t think Saint-Gobain was doing enough to ensure that people near these sites weren’t drinking contaminated water. He claims he reached out to senior staff about it repeatedly, but no action was taken.

LoBello, the spokesperson, said the company has been proactive in investigating potential contamination at sites like these and has not found any undisclosed risk to human health.

Gross also claims he discovered the company was buying a greater quantity and concentration of PFOA than they were telling federal and state regulators, raising concerns that agencies like New Hampshire's Department of Environmental Services "may be relying on flawed input data."

In the complaint, Gross says he raised this with his bosses, too -- another protected whistleblower activity -- but they allegedly opposed taking any action.

### **'PART OF THE SOLUTION'**

Gross alleges that retaliation began in late 2019, when he was given indications Saint-Gobain wanted him to leave, but he continued to push for investigation of other potential contamination.

Finally, in October 2020, Gross was allegedly told he was being investigated by the company for insubordination and harassment, then fired.

Gross claims the company has since continued to “harass and threaten” him because, immediately after his firing, he downloaded data from his company email account that Saint-Gobain believes was confidential. In his complaint, Gross says the files were all personal.

He says the company has continually tried to get him to sign a declaration under oath about his post-firing activities – a request he originally planned to grant, but then refused after disagreeing with some of the company’s characterizations of his conduct, according to the complaint.

He says Saint-Gobain also sought a forensic inspection of his computer hard drive and threatened to report him to law enforcement and state bar associations over the issue.

In his complaint, Gross seeks reinstatement at his job, plus back pay and punitive damages.

The OSHA filing will direct the case to either the Environmental Protection Agency or the Securities and Exchange Commission for further investigation, according to Gross’s attorney, Jeanne Christensen of New York-based Wigdor LLP.

She said the agency that receives the complaint will have up to 180 days to investigate it before she will automatically be able to refile the case as a lawsuit in federal court.

“Employees that do the right thing should be rewarded — not discarded and retaliated against,” Christensen said in a statement. “Our client did not want to be part of the PFOA legacy problem, he tried to be part of the solution. Sadly, there is nothing about Saint-Gobain’s treatment of Mr. Gross that suggests it cared about anything except the bottom line.”

Christensen's firm has worked on high-profile employment, discrimination and harassment cases, including representing a group of sexual assault victims with allegations against disgraced film producer Harvey Weinstein.