and physical characteristics of the property;
(2) Past owners, occupants, or operators of the subject property; or
(3) Employees of current and past occupants of the subject property.
(d) In the case of inquiries conducted at “abandoned properties,” as defined
in §312.10, where there is evidence of potential unauthorized uses of the sub-
ject property or evidence of uncontrolled access to the subject property,
the environmental professional’s inquiry must include interviewing one or
more (as necessary) owners or occupants of neighboring or nearby proper-
ties from which it appears possible to have observed uses of, or releases at,
such abandoned properties for the purpose of gathering information neces-
sary to achieve the objectives and performance factors of §312.20(e) and
(f).

§312.24 Reviews of historical sources of information.
(a) Historical documents and records must be reviewed for the purposes of
achieving the objectives and performance factors of §312.20(e) and (f). His-
torical documents and records may include, but are not limited to, aerial
photographs, fire insurance maps, building department records, chain of
title documents, and land use records.
(b) Historical documents and records reviewed must cover a period of time as
far back in the history of the subject property as it can be shown that the
property contained structures or from the time the property was first used for
residential, agricultural, commercial, industrial, or governmental purposes.
For the purpose of achieving the objectives and performance factors of
§312.20(e) and (f), the environmental professional may exercise professional
judgment in context of the facts available at the time of the inquiry as to
how far back in time it is necessary to search historical records.

§312.25 Searches for recorded environmental cleanup liens.
(a) All appropriate inquiries must in-
clude a search for the existence of envi-
ronmental cleanup liens against the
subject property that are filed or re-
corded under federal, tribal, state, or
local law.
(b) All information collected regarding
the existence of such environmental cleanup liens associated with
the subject property by persons to whom this part is applicable per
§312.1(b) and not by an environmental professional, may be provided to the
environmental professional or retained by the applicable party.

§312.26 Reviews of Federal, State,
Tribal, and local government
records.
(a) Federal, tribal, state, and local
government records or data bases of
government records of the subject
property and adjoining properties must
be reviewed for the purposes of achiev-
ing the objectives and performance fac-
tors of §312.20(e) and (f).
(b) With regard to the subject prop-
erty, the review of federal, tribal, and
state government records or data bases
of such government records and local
government records and data bases of
such records should include:
(1) Records of reported releases or
threatened releases, including site in-
vestigation reports for the subject
property;
(2) Records of activities, conditions,
or incidents likely to cause or con-
tribute to releases or threatened re-
leases as defined in §312.1(c), including
landfill and other disposal unit loca-
tion records and permits, storage tank
records and permits, hazardous waste
handler and generator records and per-
mits, federal, tribal and state govern-
ment listings of sites identified as pri-
ority cleanup sites, and spill reporting
records;
(3) CERCLIS records;
(4) Public health records;
(5) Emergency Response Notification
System records;
(6) Registries or publicly available
lists of engineering controls; and
(7) Registries or publicly available
lists of institutional controls, includ-
ing environmental land use restric-
tions, applicable to the subject prop-
erty.
(c) With regard to nearby or adjoin-
ing properties, the review of federal,
tribal, state, and local government
records or databases of government
records should include the identification of the following:

(1) Properties for which there are government records of reported releases or threatened releases. Such records or databases containing such records and the associated distances from the subject property for which such information should be searched include the following:

(i) Records of NPL sites or tribal- and state-equivalent sites (one mile);

(ii) RCRA facilities subject to corrective action (one mile);

(iii) Records of federally-registered, or state-permitted or registered, hazardous waste sites identified for investigation or remediation, such as sites enrolled in state and tribal voluntary cleanup programs and tribal- and state-listed brownfields sites (one-half mile);

(iv) Records of leaking underground storage tanks (one-half mile); and

(2) Properties that previously were identified or regulated by a government entity due to environmental concerns at the property. Such records or databases containing such records and the associated distances from the subject property for which such information should be searched include the following:

(i) Records of delisted NPL sites (one-half mile);

(ii) Registries or publicly available lists of engineering controls (one-half mile); and

(iii) Records of former CERCLIS sites with no further remedial action notices (one-half mile).

(3) Properties for which there are records of federally-permitted, tribal-permitted or registered, or state-permitted or registered waste management activities. Such records or databases that may contain such records include the following:

(i) Records of RCRA small quantity and large quantity generators (adjoining properties);

(ii) Records of federally-permitted, tribal-permitted, or state-permitted (or registered) landfills and solid waste management facilities (one-half mile); and

(iii) Records of registered storage tanks (adjoining property).

(4) A review of additional government records with regard to sites identified under paragraphs (c)(1) through (c)(3) of this section may be necessary in the judgment of the environmental professional for the purpose of achieving the objectives and performance factors of §312.20(e) and (f).

(d) The search distance from the subject property boundary for reviewing government records or databases of government records listed in paragraph (c) of this section may be modified based upon the professional judgment of the environmental professional. The rationale for such modifications must be documented by the environmental professional. The environmental professional may consider one or more of the following factors in determining an alternate appropriate search distance:

1. The nature and extent of a release;
2. Geologic, hydrogeologic, or topographic conditions of the subject property and surrounding environment;
3. Land use or development densities;
4. The property type;
5. Existing or past uses of surrounding properties;
6. Potential migration pathways (e.g., groundwater flow direction, prevalent wind direction); or
7. Other relevant factors.

§312.27 Visual inspections of the facility and of adjoining properties.

(a) For the purpose of achieving the objectives and performance factors of §312.20(e) and (f), the inquiry of the environmental professional must include:

1. A visual on-site inspection of the subject property and facilities and improvements on the subject property, including a visual inspection of the areas where hazardous substances may be or may have been used, stored, treated, handled, or disposed. Physical limitations to the visual inspection must be noted.

2. A visual inspection of adjoining properties, from the subject property line, public rights-of-way, or other vantage point (e.g., aerial photography), including a visual inspection of areas where hazardous substances may be or may have been stored, treated, handled or disposed. Physical limitations to the inspection of adjacent properties must be noted.