



Fuels Safety Program	Ref. No.: FS-276-25
ADVISORY	Date: February 20, 2026

Subject: **Clarifying the Definitions of “Modification” & “Maintenance” in Liquid Fuels Facilities**

Distribution: Posted on TSSA website and sent to Liquid Fuels Handling Code Technical Working Group

Purpose

This advisory clarifies the definitions of “maintenance” and “modification” as they apply to liquid fuels facilities under *Ontario Regulation 217/01, Liquid Fuels and Liquid Fuels Handling Code*. Its aim is to clarify the type of modifications that require TSSA review and approval.

O. Reg. 217/01 has the following definitions for maintenance and modification:

1. **“maintenance”** includes,
 - (a) the repair or replacement of equipment with identical equipment, or servicing of equipment,
 - (b) the replacement of equipment with equipment that has similar performance specifications where it is not necessary to change the layout perimeters directly associated with the equipment, or
 - (c) the concrete work required to allow the installation of a pump or dispenser under clause (b).

Note 1: TSSA interprets that maintenance does not apply to changing/replacing a tank and/or a piping system.

2. **“modification”** means a reduction, expansion or other layout change or change in the operation of a facility but does not include maintenance or decommissioning.

Note 2: The modification of a liquid fuels facility does not trigger a full upgrade of the site to the current adopted code. While the modification itself will need to meet the current adopted code, the remainder of the site will remain grandfathered provided it is compliant with the code adopted at the time of installation and that it is in safe operating condition.

This position is intended to incent/encourage incremental upgrades rather than deter them.

Examples of Modifications vs Maintenance:

- Maintenance - Replacing an existing dispenser
- Modification - Adding a new dispenser, converting from full to self-serve, changing from a small marina to a large marina or increasing/decreasing the storage capacity
- Modification - Adding/removing/replacing storage tank and/or piping systems

Therefore, as stated above, a modification to a facility does not trigger a full upgrade of the site to the current adopted code and that includes examples provided above. Only the modified equipment is required to comply with the current adopted code.