

1,000 metric tons or more of new downbound or upbound business; and

- (b) an application for a new downbound or new upbound business refund is submitted to the Authority or the Corporation for audit by the Authority or the Corporation.

(3) For the purposes of this section, "new downbound business" means

- (a) downbound cargo that has not moved through a Seaway lock during the three navigation seasons of 1987 through 1989 or the three navigation seasons immediately preceding the season in which a new downbound business refund is submitted, or

- (b) downbound cargo that has moved through a Seaway lock in quantities representing less than five percent of the average of Seaway traffic to the particular destination during the three navigation seasons of 1987 through 1989 or the three navigation seasons immediately preceding the season in which a new downbound business refund is submitted:

for the purposes of this subsection 3(b), "destination" means the country in which the cargo is unloaded but if the cargo is unloaded in North America, "destination" means the port at which the cargo is unloaded;

(4) For the purposes of this section, "new upbound business" means

- (a) upbound cargo that has not moved through a Seaway lock during the three navigation seasons immediately preceding the season in which a new upbound