§ 1103. Violation; penalties. 1. If a person or entity willfully violates any rule or regulation promulgated pursuant to section one thousand one hundred of this title relating to a temporary or permanent source or act of contamination, such person or entity violating such rule or regulation shall be liable to prosecution for a misdemeanor for every such violation, and on conviction thereof shall be punished by a fine not exceeding one thousand dollars, or imprisonment not exceeding one year, or both.

2. If a person or entity violates any rule or regulation promulgated pursuant to section one thousand one hundred of this title relating to a temporary or permanent source or act of contamination, the department may impose a civil penalty for the violation thereof or the noncompliance therewith, not exceeding two hundred dollars for every such violation or noncompliance.

3. For purposes of calculating the applicable civil penalty under this section, each day on which such violation occurred may be considered a separate incident. In addition, a court may order such person or entity to make reparations for any permanent and/or substantial damage caused as a direct result of such violation. For purposes of subdivision one of this section, restitution and reparation may be ordered in accordance with applicable provisions of the criminal procedure law.