# Who Sets the Standard?

How federal and state powers shape clean-air policy

**USH.P.2.1.B** "Evaluate the impact of the structure and powers exercised by governmental systems on public policy, using historical and contemporary examples."

NAME _____ DATE _____

## 1 READ AND MARK

Read it twice

**YOUR JOB** Underline two federal powers, circle two choices states can make, and label one benefit and one limit of this division of power so you can evaluate its effect on air policy.

### Clean Air Across State Lines

1. Picture two neighborhoods divided by a state line. Smoke from a factory in one state can drift into the other, but the second state cannot set rules for that factory. By 1970, problems like this had helped drive national action. Congress strengthened the Clean Air Act, giving the federal government power to set nationwide air-quality standards and requiring states to prepare plans to meet them. The newly formed Environmental Protection Agency, or EPA, carried out these duties. This structure gave states room to choose local methods while setting a national minimum that a single state could not provide.

2. That division of power shapes policy today. In 2024, the EPA tightened the national annual standard for fine particle pollution, often called soot. These tiny particles can enter lungs and are linked to serious health problems. The rule did not tell every town to use the same equipment or close the same businesses. Instead, states must measure their air and, where pollution exceeds the standard, submit plans to reach it. A state might target industrial emissions or vehicle pollution, depending on local sources. Federal authority makes the goal consistent, while state authority changes how people and businesses experience the rule.

3. The system also places limits on each actor. Congress can revise the Clean Air Act, and federal courts can review whether an EPA rule follows the law. States may adopt air standards stronger than the federal minimum, but they cannot replace the national standard with a weaker one. These checks can protect local choices and keep an agency within its legal authority; they can also slow a response when officials disagree. If one state loosened its controls while a neighboring state kept strict rules, pollution could still cross the border. The national standard reduces that risk without making every state's plan identical.

## 2 ANSWER WITH EVIDENCE

Use the passage

1. Why did giving the federal government power to set air-quality standards address a problem that states could not solve alone?

2. How does the division of federal and state powers shape the 2024 soot rule?

3. How could Congress or a federal court change what an EPA air rule requires? Use the powers described in the passage.

4. Evaluate one benefit and one possible cost of letting states choose their own plans under a national standard.

## 3 YOUR TURN

Your own words

A river flows from State A into State B. State A proposes allowing more factory wastewater, while State B worries about its drinking water. In 5 to 6 sentences, propose which level of government should set a water-quality goal and which should choose methods, then explain one benefit and one possible drawback of that division of power.

ANSWER KEY

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HIGH SCHOOL · USH.P.2.1.B

## PART 1 · READ AND MARK

Underline two federal powers, circle two choices states can make, and label one benefit and one limit of this division of power so you can evaluate its effect on air policy. Accept any marking that follows this job and points at the right text.

## PART 2 · ANSWERS

| # | QUESTION | ANSWER |
|---|---|---|
| 1 | Why did giving the federal government power to set air-quality standards address a problem that states could not solve alone? | **Pollution can cross state lines, while a state cannot set rules for a factory in another state. A national standard sets a shared minimum.** |
| 2 | How does the division of federal and state powers shape the 2024 soot rule? | **The EPA sets a consistent national standard. States measure their air and, where needed, choose local ways to meet that standard.** |
| 3 | How could Congress or a federal court change what an EPA air rule requires? Use the powers described in the passage. | **Congress could revise the Clean Air Act, changing the EPA's legal authority. A federal court could review whether the rule follows that law.** |
| 4 | Evaluate one benefit and one possible cost of letting states choose their own plans under a national standard. | **States can address their own pollution sources, but disagreements about state plans or federal authority can slow action.** |

## PART 3 · YOUR TURN (SAMPLE ANSWER)

Congress should authorize a federal agency to set a minimum water-quality goal for the river. Each state should choose how its factories will meet that goal, based on its own industries and costs. A shared goal would protect State B from pollution that crosses the border even if State A prefers weaker rules. State control over methods could allow both states to find less costly solutions. However, disputes over whether a state has done enough could delay action, especially if a court must review the agency's authority.

Accept other supported evaluations of the tradeoff between a shared standard and state flexibility. For Part 3, accept a different division of power if the student explains how it affects both states and identifies a plausible benefit and drawback.